Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, May 19, 2015

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Thomas K. Butt

Vice Mayor
Jael Myrick

Councilmembers
Nathaniel Bates
Jovanka Beckles
Eduardo Martinez
Gayle McLaughlin
Vinay Pimplé

Housing Authority Tenant Commissioners
Dolores Johnson
Barbara Sutton

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).

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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. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9):

Two Cases

SPECIAL MEETING OF
THE RICHMOND HOUSING AUTHORITY

6:25 p.m.

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. OPEN FORUM FOR PUBLIC COMMENT

E. AGENDA REVIEW

F. HOUSING AUTHORITY CONSENT CALENDAR

F-1. ADOPT a resolution approving the purchase of 100 sets of SmartBurners, stove top temperature limiting heating elements, from Pioneering Technology at a cost of $189.73 per set, for a total amount not to exceed $20,000. The purpose of these heating elements is to reduce the risk of kitchen fires in the Nevin Plaza Public Housing Development - Richmond Housing Authority (Tim Jones 621-1310).

F-2. ADOPT a resolution authorizing the Housing Authority to revise the Public Housing Flat Rent Schedule in response to the Department of Housing and Urban Development (HUD) increased Fair Market Rent rates, effective July 1, 2015 - Richmond Housing Authority (Tim Jones 621-1310).

F-3. APPROVE the minutes of the April 21, 2015, and May 5, 2015, meetings - City Clerk's Office (Pamela Christian 620-6513).

G. ADJOURNMENT

REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. AGENDA REVIEW

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

E. OPEN FORUM FOR PUBLIC COMMENT

F. CITY COUNCIL CONSENT CALENDAR

F-1. ACCEPT the City's Investment and Cash Balance Report for the month of February 2015 - Finance Department (Belinda Warner 620-6740/Tracey Angelo 620-6750).

F-2. APPROVE a contract amendment with NEMA Construction, expanding the scope of work to install video detection systems for purposes of traffic signal management on the Richmond Parkway at Gertrude and Goodrick Avenues, and increasing the original contract amount by $150,000 for a total contract amount not to exceed $450,000 - Public Works Department (Yader A. Bermudez 621-1238).

F-3. APPROVE the following appointments and re-appointments: Commission on Aging: Myrtle Braxton, re-appointment, term expiring May 19, 2017; Kathleen Good, re-appointment, term expiring May 19, 2017; Rose Brooks, re-appointment, term expiring May 19, 2017; Dolores Johnson, re-appointment, term expiring May 19, 2017; Economic Development Commission: Larry Fleming, re-appointment, term expiring March 30, 2018; Point Molate Citizens Advisory Committee: Bruce Brubaker, new appointment, term expiring May 30, 2017; Bruce Beyaert, new appointment, term expiring May 30, 2017; Katrinka Ruk, new appointment, term expiring May 30, 2017; Urban Forest Advisory Committee: Toody Maher, new appointment; Libby Smith, new appointment; Lon Sun, new appointment; Liz Bittner, new appointment; Felix Hunziker, new appointment - Mayor Tom Butt (620-6503).

F-4. ADOPT an ordinance (second reading) amending the definitions in Richmond Municipal Code Section 15.04.020, the uses listed in Sections 15.04.100 through 15.04.250; and provisions relating to homeless shelters and transitional housing in Section 15.04.810.040, to bring the City's land use regulations into compliance with adopted amendments (Senate Bill (SB) 2 and SB 745) to Government Code Sections 65582, 65583 and 65589.5 - Planning and Building Services Department (Richard Mitchell 620-6706).

F-5. APPROVE appointments and updates to the 2015 appointments to Regional Committees, Ad Hoc Committees and Liaison Positions - Mayor Tom Butt (620-6503).

F-6. ADOPT a resolution defining the role of City Council members appointed to serve as liaisons for City boards, commissions and committees - Mayor Tom Butt (620-6503).

F-7. INTRODUCE an ordinance (first reading) to disestablish the Richmond Tourism Business Improvement District, which is being reformed as the Richmond Tourism Marketing District (RTMD), a form of business improvement district, pursuant to State law - City Manager's Office (Bill Lindsay/Janet Johnson 620-6512).

G. ITEMS CONTINUED FROM PREVIOUS MEETINGS

- Continued Council as a Whole

G-2. ADOPT a resolution supporting increased local, state and federal regulation of the storage and handling of coal and petroleum coke ("petcoke"); calling on the Bay Area Air Quality Management District board to regulate air quality as it pertains to the storage, handling, and transportation of coal and petcoke; and directing staff to research similar pollution mitigation measures; and ADOPT a resolution opposing mining, export and burning of coal, and the transportation of coal and petroleum coke ("petcoke") along California waterways and through densely populated areas including the City of Richmond - Mayor Tom Butt (620-6503) and Councilmember Gayle McLaughlin (620-6503). **This item was continued from the March 17, 2015, April 7 and 21, 2015, and May 5, 2015, meetings.**

G-3. REVIEW options for an augmented street paving program using Measure U funds, and provide direction to staff - Finance Department (James Goins 620-6740). **This item was continued from the April 7 and 21, 2015, and May 5, 2015, meetings.**

G-4. ADOPT a resolution adopting the Yellow Brick Road Iron Triangle Walkable Neighborhood Plan as an appendix to the City of Richmond Pedestrian Plan - Planning and Building Services Department (Richard Mitchell 620-6706). **This item was continued from the April 28, 2015 agenda.**

H. PUBLIC HEARINGS

H-1. APPROVE Richmond Compassionate Care Collective's request for a modification of their marijuana dispensary permit to relocate from their previously approved location to a new location at 3190 Klose Way - Police Department (Chief Chris Magnus 6210-1802).

H-2. ADOPT a resolution adopting the Addendum to the Richmond General Plan 2030 EIR and the draft 5th Cycle Housing Element Update - Planning and Building Services Department (Richard Mitchell 620-6706).

I. RESOLUTIONS

I-1. ADOPT a resolution in support of the Space Preservation Act and the Space Preservation Treaty to permanently ban space-based weapons - Councilmember Jovanka Beckles (620-6568).

J. COUNCIL AS A WHOLE

J-1. DIRECT the City Manager to work with the City Clerk to develop a schedule to make the agenda packet available to the public seven days prior to the City Council meeting - Councilmember Vinay Pimplé (412-2050), Councilmember Jovanka Beckles (620-6568), and Councilmember Eduardo Martinez (620-6593).

J-2. CONSIDER requesting that the West Contra Costa Transportation Advisory Committee recommend that the Contra Costa Transportation Authority include funding for CyberTran International Inc. in the 2016 Measure J Expenditure Plan - Mayor Tom Butt (620-6503).

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

L. ADJOURNMENT

L-1. ADJOURN the meeting in memory of George Schmidt - Mayor Tom Butt (620-6505).

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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.

AGENDA ITEM REQUEST FORM

#F-1.

Department: Richmond Housing Authority **Department Head:** Tim Jones **Phone:** 510-621-1310

Meeting Date: 5/19/2015 **Final Decision Date Deadline:** 5/19/2015

STATEMENT OF THE ISSUE: Staff is requesting that the RHA Board of Commissioners approve the purchase of 100 sets of SmartBurners, stove top temperature limiting heating elements, from Pioneering Technology to help reduce the risk of kitchen fires in the Nevin Plaza Public Housing Development.

INDICATE APPROPRIATE BODY

☐ **City Council** ☐ **Redevelopment Agency** ☒ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐ **Other**____

ITEM ____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☐ **Other** CONSENT CALENDAR

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☒ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: ADOPT a resolution approving the purchase of 100 sets of SmartBurners, stove top temperature limiting heating elements, from Pioneering Technology at a cost of $189.73 per set, for a total amount not to exceed $20,000. The purpose of these heating elements is to reduce the risk of kitchen fires in the Nevin Plaza Public Housing Development - Richmond Housing Authority (Tim Jones 621-1310).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

F-1.

AGENDA REPORT

HOUSING AUTHORITY

DATE: May 19, 2015

TO: Housing Authority Board of Commissioners

FROM: Tim Jones, Executive Director, Richmond Housing Authority

SUBJECT: Proposed Purchase of "SmartBurners" Stove Top Temperature Limiting Control Heating Elements for the Nevin Plaza Senior Public Housing Development

STATEMENT OF THE ISSUE:

Staff is requesting that the RHA Board of Commissioners approve the purchase of 100 sets of SmartBurners, stove top temperature limiting heating elements, from Pioneering Technology to help reduce the risk of kitchen fires in the Nevin Plaza Public Housing Development.

RECOMMENDED ACTION:

ADOPT a resolution approving the purchase of 100 sets of SmartBurners, stove top temperature limiting heating elements, from Pioneering Technology at a cost of $189.73 per set, for a total amount not to exceed $20,000. The purpose of these heating elements is to reduce the risk of kitchen fires in the Nevin Plaza Public Housing Development.

FINANCIAL IMPACT:

The Housing Authority's Public Housing Capital Fund Federal Grant resources will be used to support the purchase of the SmartBurners.

DISCUSSION:

In recent months, Nevin Plaza, RHA's senior/disabled public housing development located at 2400 Nevin Avenue, has experienced a rash of cooking fires. The Richmond Fire Department's Fire Prevention Services Division, led by Fire Marshal Terry Harris,

met with the Richmond Housing Authority staff and members of the Nevin Plaza Resident Council to find ways to resolve this issue.

As a first step, the Fire Prevention Services Division held a fire safety community meeting with the residents of Nevin Plaza, focused on "safe cooking" at the property. As a next step, the Richmond Fire Department proposed the utilization of the SmartBurner, a new technology which is an intelligent cooking system that electronically controls energy to burners, helping to prevent fires and save energy. After the Fire Prevention Services Division researched the SmartBurner, and determined it would be a beneficial tool in significantly reducing kitchen fires, it was recommended that the Housing Authority install them at Nevin Plaza.

The SmartBurner is manufactured by Pioneering Technology Corporation and they own the patent for the SmartBurner. As such, Pioneering Technology is the only manufacturer of this product, and the Finance Department's Purchasing Division confirmed that this would be an appropriate sole source procurement. The Sole Source Request was approved on March 25, 2015.

The SmartBurner is unique because it uses its patented temperature-limiting controls to keep the surface temperature of the stove below the auto-ignition point of most cooking oils and common combustible household items. The first phase of this project included forty-six units on Nevin Plaza's 1st, 6th and 7th floors, and was completed on April 28, 2015. The SmartBurners are working effectively, and the Housing Authority would like to install the SmartBurners in all of the remaining units at Nevin Plaza. The SmartBurners cost $189.73 per set.

Staff recommends that the Board of Commissioners approve the purchase of 100 sets of SmartBurners, stove top temperature limiting heating elements, from Pioneering Technology at $189.73 per set, to significantly reduce the risk of kitchen fires at the Nevin Plaza Public Housing Development for a total amount not to exceed $20,000.

DOCUMENT ATTACHED:

Attachment 1 – Resolution
Attachment 2 – Sole Source Authorization

RESOLUTION NO.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RICHMOND AUTHORIZING THE EXECUTIVE DIRECTOR TO PURCHASE 100 SETS OF SMARTBURNER STOVE TOP TEMPERATURE LIMITING HEATING ELEMENTS FROM PIONEERING TECHNOLOGY AT $189.73 PER SET FOR THE NEVIN PLAZA PUBLIC HOUSING DEVELOPMENT FOR AN AMOUNT NOT TO EXCEED $20,000

WHEREAS, in recent months the Nevin Plaza Senior/Disabled public housing development located at 2400 Nevin Avenue has experienced a rash of cooking fires, and the Richmond Fire Department's Fire Prevention Services Division met with the Richmond Housing Authority staff and members of the Nevin Plaza Resident Council to find ways to resolve this issue; and

WHEREAs, as a first step, the Fire Prevention Services Division held a fire safety community meeting, with the residents of Nevin Plaza, focused on "safe cooking" at the property, and as a next step the Richmond Fire Department proposed the utilization of the SmartBurner, a new technology which is an intelligent cooking system that electronically controls energy to burners, helping to prevent fires and save energy; and

WHEREAS, after the Fire Prevention Services Division researched the SmartBurner, and determined it would be a beneficial tool in significantly reducing kitchen fires, it was recommended that the Housing Authority install them at Nevin Plaza; and

WHEREAS, the SmartBurner is manufactured by Pioneering Technology Corporation, which owns the patent for the SmartBurner, and which is the only manufacturer of this product; and

WHEREAS, the City of Richmond Finance Department's Purchasing Division confirmed that this would qualify as a Sole Source procurement, and the Sole Source Request was approved on March 25, 2015; and

WHEREAS, the SmartBurner is unique because it uses its patented temperature limiting controls that actually keeps the surface temperature of the stove below the auto-ignition point of most cooking oils and common combustible household items; and

WHEREAS, the first phase of this project included forty-six (46) units on Nevin Plaza's 1st, 6th and 7th floors, and the first phase installation was completed on April 28, 2015, and the SmartBurners are working effectively; and

WHEREAS, the Housing Authority would like to install the SmartBurners in all of the 100 remaining units at Nevin Plaza for $189.73 per set for a total cost not to exceed $20,000;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RICHMOND, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, THAT:

The Executive Director is authorized to purchase of 100 sets of SmartBurner stove top temperature limiting heating elements from Pioneering Technology at $189.73 per set, to significantly reduce the risk of kitchen fires at the Nevin Plaza Public Housing Development for a total amount not to exceed $20,000. The Executive Director is hereby further authorized to take all actions necessary to implement the foregoing resolution.

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The foregoing resolution was passed and adopted by the Commissioners of the Housing Authority of the City of Richmond at a meeting thereof held on May 19, 2015, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

_____
Chairperson

ATTEST:

_____
Secretary

Approved as to form:

_____
Attorney

CITY OF RICHMOND
SOLE SOURCE REQUEST

THIS FORM MUST BE COMPLETED AND APPROVED PRIOR TO ANY PURCHASE

Contact the Purchasing Division and discuss your rationale before completing this form. If Purchasing can help you make this a competitive purchase, then this form will not be required.

When a request is made for a non-competitive procurement and the specification limits the bidding to one source and/or one brand or trade name, the requesting department must complete this form: (Please answer the following questions as fully as possible and provide and attach supporting documentation)

1. Name, city and state of the proposed vendor.
   Pioneering Technology Corporation, Mississauga Ontario
2. Briefly describe the product or service you propose to purchase. Include appropriate detail such as manufacturer, brand name, model number, part number, etc. for products and the type service to be performed for services.

   The Housing Authority was recommended by the Richmond Fire Department to replace all stove top burners at Nevin Plaza with SmartBurners. RHA requires 140 sets of SmartBurners to replace each set of stove top burners at Nevin Plaza to prevent household fires. This sole source will support immediate needs prior Council's approval for the purchase of the remaining balance over $10K.

Initial Estimated Cost: $ $10,000 **Funding Source:** 42141191-400701

3. Please check one:

   a. ☑ SOLE SOURCE: Item/Service is available from one source only. Item/Service is one-of-a-kind and is not competitively available. ***(If there is an exclusive distributor for this area, verify this fact in writing with the manufacture and attach to this request.)***

   b. ☐ SOLE BRAND: Various sources can supply the specified model and brand; competitive bids will be solicited for the requested brand only. ***(Clearly describe why no other product meeting form, fit or function will do)***

   c. ☐ SINGLE SOURCING: Services or purchases directed to one source because of standardization of parts or design, warranty, or other factors, even though other competitive sources may be available. ***(This requires further discussion with the Purchasing Division)***

4. What are the unique performance features of the product/brand requested that are not available in any other product/brand? (For services: What unique qualifications, rights, degrees, certifications, licenses and/or experience does this vendor possess?)

   SmartBurner with its patented Temperature Limiting Control (TLC) technology controls the high end temperature of the stovetop below the auto-ignition point of cooking oils and most common household materials by shutting off the stove element when the temperature reaches above 350°C/662°F. As soon as the element has cooled to below 350°C/662°F the thermostat kicks in and starts heating up the cast iron plate again. In this way, the cooking surface maintains a steady, constant and safe cooking temperature. Considering that water boils at 100°C/212°F, the heat that SmartBurner delivers is more than sufficient to cook effectively, efficiently and safely.

   The SmartBurner cooking system is an ETL/Intertek listed product engineered to help prevent stovetop cooking fires before they can start. Unlike other products that alert homeowners after a fire has started or try to suppress an existing fire, the SmartBurner helps prevent the fire from occurring in the first place. It also retains heat for greater energy savings.

   SmartBurner is a patented and a patent pending replacement for electric coil and comes with a one-year warranty against manufacturing defects.

#F-1.

SOLE SOURCE REQUEST – Continued VENDOR'S NAME: Bay Alarm System

5. Why are the unique perform ance features REQUIRED (not m erely preferred), and how would your requirement be inhibited without this particular service/item?

If the choice of replacing stove coils with SmartBurner was not made, tenants at Nevin Plaza Public Housing Development will be vulnerable to fires. Cooking is the #1 cause of household fires and fire injuries, where 1 in 8 households will experience a cooking fire every year (National Fire Protection Association, 2011).

6. What other products/services have been examined and rejected, and why? ***(Please provide a specific meaningful explanation, one vendor and/or one feature at a time. For products be sure to clearly identify the product by name and model number and include the name, address, and telephone number of the company representative who you contacted during your research or product testing.)IF ADDITIONAL SPACE IS NEEDED PLEASE ATTACH.***

Additional like products have been researched, including stove safety sensors which were rejected because they require additional wiring for installation and are double the price, where as the SmartBurner can be installed in seconds without additional wires or tools. Additional stove safety sensors were examined, however reject because they only shutdown the stove tops when no activity is detected for 6-8 minutes, of which a fire could start before the sensor shuts down the stovetop. Another product called Stove Top Fire Fighter was researched, which attaches to the exhaust fan hood over the stove and activates when a fire starts on the burner, dumping bicarbonate of soda on the flames. This product was rejected because it does not prevent fires before they start.

7. If justification is based on matching and/or intermixing with existing equipment (refer to 3.c.), list the quantity, manufacturer, brand, and model of the existing equipment, and why the matching is required not simply preferred.

N/A

I HEREBY CERTIFY THAT:

1. I am an approved department representative, and am aware of the City's requirements for competitive bidding, as well as the criteria for justification for sole source/brand/single source procurements.
2. I have gathered the required technical inform ation and have m ade a concentrated effort to review comparable and/or equal equipment/services.
3. There is validity as to the inf ormation cont ained herein justifying m y request for sole source/brand/single source procurement and meeting the City's criteria.
4. A sole source/brand/single source procurement in this case will withstand a possible audit or a vendor's protest.

REQUESTOR Tim Jones DATE: 3 /5 /15 PHONE: 510-307-8017

DEPT. DIRECTOR(Print) Tim Jones (Sign) Tim Jones Digitally signed by Tim Jones DN: cn=Tim Jones, o=Housing Authority, ou=Executive Office, email=tjones@hhaca.org, c=US Date: 2015.03.23 15:36:31 -07'00' DATE: 3-23-2015

Submit completed form to the Purchasing Division (Prior to submission to City Manager)

Finance Director:
APPROVED: [signature] DATE: 3/25/15
NOT APPROVED: _____ COMMENTS:

[signature]
City Manager (Under $10,000.00)

City Clerk Attesting to Council Approval (Over $10,000.00) (Copy of Minutes may be substituted)

NOTE: RICHMOND MUNICIPAL CODE SECTION 2.52.326 SOLE SOURCE PROCUREMENT REQUIRES FINAL APPROVAL BY THE CITY MANAGER AND/OR CITY COUNCIL

11/08/11

PIONEERING TECHNOLOGY

March 22, 2015

City of Richmond Finance
c/o Allison Bolduc, Buyer II
440 Civic Center Plaza
Richmond, CA 94084
allison_bolduc@ci.richmond.ca.us
(510) 307-8017

Re: Sole Source Procurement

Dear Allison:

The SmartBurner™ (easy install version of the Safe-T-element®) is manufactured by Pioneering Technology Corp. As such, Pioneering is the only manufacturer of this product. Moreover, there are not any direct competitors that replicate this exact technology.

SmartBurner™ is unique because it uses its patented Temperature Limiting Controls ("TLC") that actually helps prevent a stove top cooking fire from occurring in the first place, while reducing the amount of electricity required to cook.

Most other fire safety technologies available today either help to suppress a fire or merely alert you to the fact that you have one. Some examples of these products are fire extinguishers, sprinkler systems and smoke detectors. None of these technologies are designed to help prevent a fire and these suppression technologies only work if there is already a fire. There currently isn't an energy star rating available on an electric coil range either but with our product the range becomes an energy smart device.

Pioneering Technology Corp. owns the patent for SmartBurner™.

Should you have any further questions regarding our products, their uniqueness, patents or sole source procurement, please don't hesitate to contact me via e-mail or phone.

Best Regards,

Laird Comber
(800) 433-6026 ext. 230
lcomber@pioneeringtech.com

#F-1.

AGENDA ITEM REQUEST FORM

#F-2.

Department: Richmond Housing Authority **Department Head:** Tim Jones **Phone:** 510-621-1310

Meeting Date: 5/19/2015 **Final Decision Date Deadline:** 5/19/2015

STATEMENT OF THE ISSUE: Staff is requesting approval to revise the Housing Authority's Public Housing Flat Rent Schedule in response to the Department of Housing and Urban Development (HUD) increased Fair Market Rent rates for 2015, and is requesting that the Board of Commissioners adopt a resolution authorizing the Housing Authority to revise the Public Housing Flat Rent Schedule effective July 1, 2015.

INDICATE APPROPRIATE BODY

☐ **City Council** ☐ **Redevelopment Agency** ☒ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐ **Other**____

ITEM ____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☐ **Other** CONSENT CALENDAR

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☒ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: ADOPT a resolution authorizing the Housing Authority to revise the Public Housing Flat Rent Schedule in response to the Department of Housing and Urban Development (HUD) increased Fair Market Rent rates, effective July 1, 2015 - Richmond Housing Authority (Tim Jones 621-1310).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

F-2.

#F-2.

HOUSING AUTHORITY

AGENDA REPORT

DATE: May 19, 2015

TO: Housing Authority Board of Commissioners

FROM: Tim Jones, Executive Director, Richmond Housing Authority

SUBJECT: Revisions to the Public Housing Program Flat Rent Schedule in Response to the Revised Contra Costa County Fair Market Rent Rates

STATEMENT OF THE ISSUE:

Staff is requesting approval to revise the Housing Authority's Public Housing Flat Rent Schedule in response to the Department of Housing and Urban Development (HUD) increased Fair Market Rent rates for 2015, and is requesting that the Board of Commissioners adopt a resolution authorizing the Housing Authority to revise the Public Housing Flat Rent Schedule effective July 1, 2015.

RECOMMENDED ACTION:

ADOPT a resolution authorizing the Housing Authority to revise the Public Housing Flat Rent Schedule in response to the Department of Housing and Urban Development (HUD) increased Fair Market Rent rates, effective July 1, 2015.

FINANCIAL IMPACT OF RECOMMENDATION:

There is no financial impact as a result of this recommendation to the Housing Authority or the City of Richmond.

DISCUSSION:

Federal Regulations provide that Housing Authorities establish Public Housing Flat Rent Schedules that comply with the requirement that all flat rents be set at no less than 80 percent of the applicable Fair Market Rent (FMR) adjusted, if necessary, to account for reasonable utilities costs. RHA's revised Flat Rent Schedule will apply to all new program admissions effective July 1, 2015. For current program participants that pay

the flat rental amount, the new flat rental amounts will be offered, as well as the income-based rental amount, at the next annual recertification.

Currently, the Housing Authority's Flat rents are well below 80 percent of the applicable Fair Market Rents, with the proposed senior/disabled two-bedroom flat rent at 62% of the applicable Fair Market Rent and the proposed family two-bedroom flat rent at 68% of the applicable Fair Market Rent. However, as provided by the federal regulations, the Housing Authority has opted to place a cap on any increase in a family's rental payment that exceeds 35 percent, as a result of changes to the flat rental amounts.

This process will allow the Housing Authority to gradually increase the Flat Rent Schedule over time until we are in full compliance with the statutory changes contained within Public Law 113-*76* of the Fiscal Year 2014 Appropriation Act requiring that all flat rents be set at 80 percent of the applicable Fair Market Rents.

CONCLUSION:

Staff recommends the Board of Commissioners adopt a resolution authorizing the Housing Authority to revise the Public Housing Flat Rent Schedule to ensure continual compliance with Public Law 113-*76* of the Fiscal Year 2014 Appropriation Act requiring that all flat rents be set at 80 percent of the applicable Fair Market Rents. The revised flat Rent Schedule will be effective July 1, 2015.

DOCUMENTS ATTACHED:

Attachment 1 – Resolution
Attachment 2 – Revised Flat Rent Schedule

RESOLUTION NO.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RICHMOND AUTHORIZING THE EXECUTIVE DIRECTOR TO REVISE THE PUBLIC HOUSING FLAT RENT SCHEDULE IN RESPONSE TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT INCREASED 2015 FAIR MARKET RENT RATES

WHEREAS, Federal Regulations provide that Housing Authorities establish Public Housing Flat Rent Schedules that comply with the requirement that all flat rents be set at no less than 80 percent of the applicable Fair Market Rent (FMR) adjusted, if necessary, to account for reasonable utilities costs; and

WHEREAS, the Housing Authority's revised Flat Rent Schedule will apply to all new program admissions effective July 1, 2015, and for current program participants that pay the flat rental amount, the new flat rental amounts will be offered, as well as the income-based rental amount, at the next annual recertification; and

WHEREAS, currently the Housing Authority's Flat rents are well below 80 percent of the applicable Fair Market Rents, with the proposed Senior/ Disabled two-bedroom flat rent at 62% of the applicable Fair Market Rent and the proposed Family two-bedroom flat rent at 68% of the applicable Fair Market Rent; and

WHEREAS, as provided by the federal regulations, the Housing Authority has opted to place a cap on any increase in a family's rental payment that exceeds 35 percent, as a result of changes to the flat rental amounts; and

WHEREAS, this process will allow the Housing Authority to gradually increase the Flat Rent Schedule over time until full compliance with the statutory changes contained within Public Law 113-76 of the Fiscal Year 2014 Appropriation Act requiring that all flat rents be set at 80 percent of the applicable Fair Market Rents has been met; and

WHEREAS, staff recommends the Board of Commissioners adopt a resolution authorizing the Housing Authority to revise the Public Housing Flat Rent Schedule (proposed amounts attached to this resolution) effective July 1, 2015 to ensure continual compliance with Public Law 113-76 of the Fiscal Year 2014 Appropriation Act;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF RICHMOND, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, THAT:

The Executive Director is authorized to revise the Public Housing Program Flat Rent Schedule to ensure continual compliance with the statutory changes contained within Public Law 113-76 of the Fiscal Year 2014 Appropriation Act in response to the Department of Housing and Urban Development 2015 increased Fair Market Rent Rates. The Executive Director is hereby further authorized to take all actions necessary to implement the foregoing resolution.

****

#F-2.

The foregoing resolution was passed and adopted by the Commissioners of the Housing Authority of the City of Richmond at a meeting thereof held on May 19, 2015, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

_____
Chairperson

ATTEST:

_____
Secretary

Approved as to form:

_____
Attorney

Proposed 2015 FLAT RENTS

RHA CURRENT FLAT RENTS SENIOR/DISABLED		FLAT RENTS EFFECTIVE 06/01/2015 SENIOR/DISABLED UNITS 35% MAXIMUM INCREASE	
STUDIO	$535	STUDIO	$722
ONE BEDROOM	$629	ONE BEDROOM	$849
TWO BEDROOM	$725	TWO BEDROOM	$979
RHA CURRENT FLAT RENTS FAMILY		FLAT RENTS EFFECVTIVE 06/01/2015 FAMILY UNITS 35% MAXIMUM INCREASE	
ONE BEDROOM	$698	ONE BEDROOM	$ 942
TWO BEDROOM	$803	TWO BEDROOM	$1,084
THREE BEDROOM	$907	THREE BEDROOM	$1,224

AGENDA ITEM REQUEST FORM

Department: City Clerk's Office **Department Head:** Pamela Christian **Phone:** 620-6513

Meeting Date: 5/19/2015 **Final Decision Date Deadline:**_____

STATEMENT OF THE ISSUE: The minutes of the April 21, 2015, and May 5, 2015, meetings require approval.

INDICATE APPROPRIATE BODY

☐ **City Council** ☐ **Redevelopment Agency** ☒ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐**Other**_____

ITEM _____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☒ **Other** CONSENT CALENDAR

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: APPROVE the minutes of the April 21, 2015, and May 5, 2015, meetings - City Clerk's Office (Pamela Christian 620-6513).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

F-3.

RICHMOND, CALIFORNIA, May 5, 2015

The Special Meeting of the Richmond Housing Authority was called to order at 6:23 p.m., by Chairperson Tom Butt who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Commissioners Beckles, Martinez, McLaughlin, Pimplé, Vice Chairperson Myrick, Housing Tenant Commissioners Johnson, and Sutton, and Chairperson Butt.
Absent: Commissioner Bates.

STATEMENT OF CONFLICT OF INTEREST

None.

OPEN FORUM FOR PUBLIC COMMENT

None.

AGENDA REVIEW

None.

HOUSING AUTHORITY CONSENT CALENDAR

On motion of Commissioner Martinez, seconded by Vice Chairperson Myrick all item marked with an (*) were approved by unanimous vote of all commissioners present:

*-Adopted **Resolution No. 1998** approving a Fixed Asset Inventory Policy for the Richmond Housing Authority.

*-Approved the minutes of the January 20, 2015, me.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:25 p.m.

_____
City Clerk

(SEAL)

Approved:

_____
Chairperson

RICHMOND, CALIFORNIA, April 21, 2015

The Special Meeting of the Richmond Housing Authority was called to order at 6:33 p.m., by Chairperson Tom Butt who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Commissioners Beckles, Martinez, McLaughlin, Pimplé, Vice Chairperson Myrick, and Chairperson Butt. **Absent:** Commissioner Bates.

STATEMENT OF CONFLICT OF INTEREST

None.

OPEN FORUM FOR PUBLIC COMMENT

Wesley Ellis gave comments regarding appointments to the boards and commissions.

AGENDA REVIEW

None.

HOUSING AUTHORITY CONSENT CALENDAR

On motion of Commissioner Beckles, seconded by Commissioner McLaughlin all item marked with an (*) were approved by unanimous vote of all commissioners present:

*-Adopted **Resolution No. 1995** approving the Section 8 Management Assessment Program (SEMAP) Confirmatory Review Corrective Action Plan (CAP) with the U.S. Department of Housing and Urban Development (HUD).

*-Adopted **Resolution No. 1996** resolution approving and authorizing execution of the amended Public Housing Agency Recovery and Sustainability (PHARS) Agreement with the U.S. Department of Housing and Urban Development.

*-Adopted **Resolution No. 1997** authorizing the Housing Authority to revise the Section 8 Housing Choice Voucher Program Housing Payment Standards (HPS) to reflect the new Contra Costa County Fair Market Rents effective 2015.

*-Approved the appointment of Dolores Johnson and Barbara Sutton as Tenant Commissioners to the Housing Authority Board of Commissioners.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:34 p.m.

_____
City Clerk
(SEAL)

Approved:

_____
Chairperson

AGENDA ITEM REQUEST FORM

Department: Finance **Department Head:** Belinda Warner **Phone:** 510-620-6740

Meeting Date: 5/19/2015 **Final Decision Date Deadline:** 05/19/2015

STATEMENT OF THE ISSUE: As a matter of information, the Investment and Cash Balance Report are transmitted to the City Council on a regular basis.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☒**Other**_____

ITEM _____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☐ **Other** _____

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: ACCEPT the City's Investment and Cash Balance Report for the month of February 2015 - Finance Department (Belinda Warner 620-6740/Tracey Angelo 620-6750).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

F-1.

AGENDA REPORT

FINANCE DEPARTMENT

DATE: May 19, 2015

TO: Mayor Butt and Members of the City Council

FROM: Belinda Warner, Finance Director
Tracey Angelo, Investment Analyst

SUBJECT: CITY OF RICHMOND'S INVESTMENT AND CASH BALANCE REPORT

STATEMENT OF THE ISSUE:

As a matter of information, the Investment and Cash Balance Report are transmitted to the City Council on a regular basis.

RECOMMENDED ACTION:

ACCEPT the City's Investment and Cash Balance Report for the month of February 2015.

FINANCIAL IMPACT OF RECOMMENDATION:

None.

DISCUSSION:

The Investment and Cash Balance Report is monthly report of the City's pooled cash balance. The Treasurer's report represents the monthly bank balances along with market balances of permitted investments according to the City's Investment Policy. Agency bonds, certificates of deposits and corporate notes are all allowable and permitted investments according to our FY15-16 Investment Policy.

DOCUMENTS ATTACHED:

Attachment 1 – Investment and Cash Balance Report dated February 28, 2015.

Finance Department – Treasury Division

MEMORANDUM

To: Mayor and Members of the City Council

From: Belinda Warner, Finance Director/Treasurer
Tracey Angelo, Investment Analyst

Date: April 16, 2015

Subject: MONTHLY CASH BALANCES & INVESTMENT REPORTS – February 2015

Enclosed for your information are the Portfolio Summary, Investment Report, and Cash Report for the month of February 2015 prepared by the City Treasurer pursuant to the statutory requirements of the State of California.

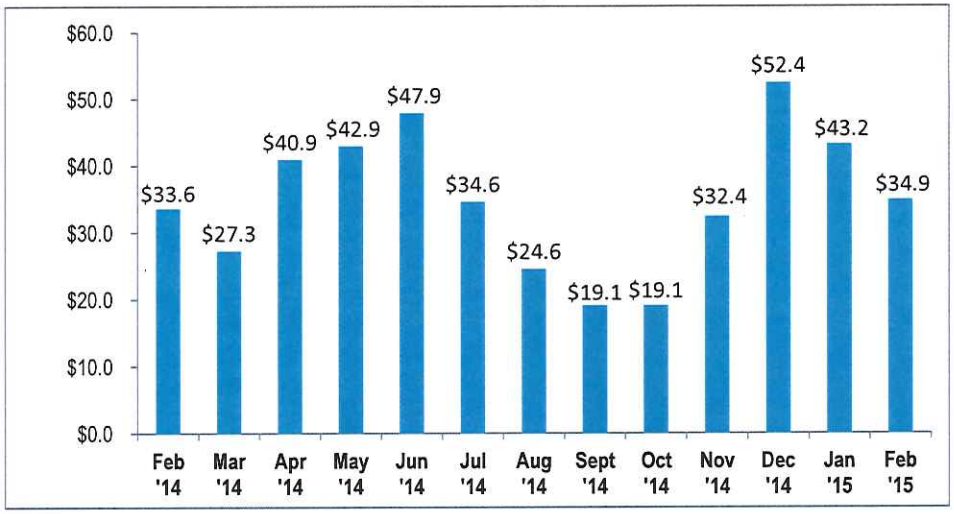
City of Richmond
Investment Report for FEBRUARY 2015
Pooled Investment Portfolio Analysis
UNAUDITED

Investment Composition:

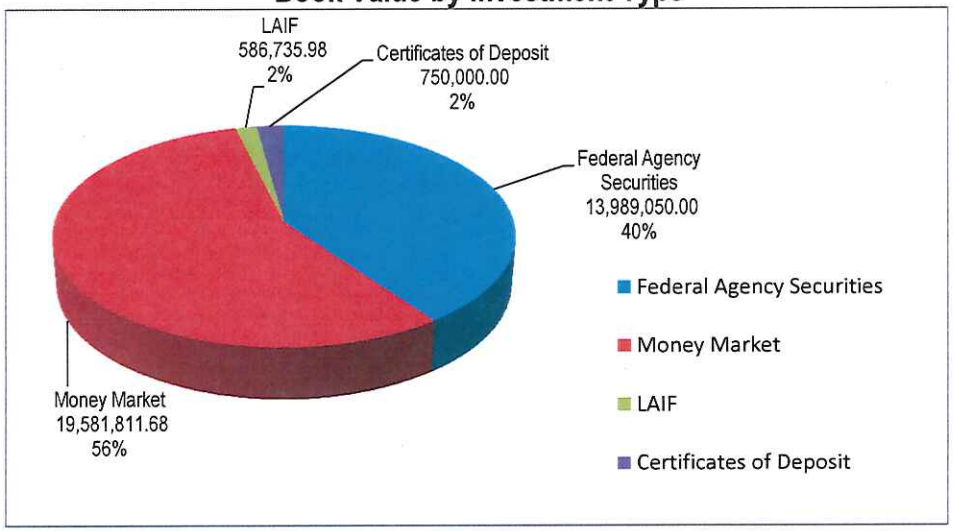
Book Value of Investments Held	34,907,597.66
Market Value of Investments Held	34,834,017.66
Unrealized Gain (Loss) - amount	(73,580.00)
Unrealized Gain (Loss) - percentage	-0.21%

	%	Amount
Federal Agency Securities BK Val	40.07%	13,989,050.00
Money Market	56.10%	19,581,811.68
LAIF	1.68%	586,735.98
Certificates of Deposit	2.15%	750,000.00
	100.00%	34,907,597.66

Book Value History
(in millions)



Book Value by Investment Type



Cash Summary:

Pooled Investments	34,907,597.66
Fiscal Agent & Other Restricted Investments:	
City	67,526,356.17
Successor Agency to the RCRA	26,340,438.13
Total Fiscal Agent & Other Investments	93,866,794.30
Checking Accounts & Other Activity	15,629,514.58
Total Cash Balance (detail attached)	144,403,906.54

City of Richmond
Portfolio Management
Portfolio Summary
February 28, 2015

City of Richmond
Finance Department
450 Civic Center Plaza
Richmond, CA 94804
(510)620-6740

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM/C 360 Equiv.	YTM/C 365 Equiv.
Local Agency Investment Funds	586,735.98	586,735.98	586,735.98	1.68	1	1	0.026	0.027
Money Markets	19,581,811.68	19,581,811.68	19,581,811.68	56.10	1	1	0.496	0.503
Federal Agency Issues - Coupon	14,000,000.00	13,916,870.00	13,989,050.00	40.07	1,767	998	1.135	1.150
Certificates of Deposit	750,000.00	748,600.00	750,000.00	2.15	1,286	576	0.822	0.833
Investments	**34,918,547.66**	**34,834,017.66**	**34,907,597.66**	**100.00%**	**736**	**413**	**0.751**	**0.761**
Cash and Accrued Interest								
Passbook/Checking (not included in yield calculations)	8,046,593.73	8,046,593.73	8,046,593.73		1	1	0.000	0.000
Accrued Interest at Purchase		81.67	81.67					
Subtotal		8,046,675.40	8,046,675.40					
Total Cash and Investments	**42,965,141.39**	**42,880,693.06**	**42,954,273.06**		**736**	**413**	**0.751**	**0.761**

Total Earnings	February 28 Month Ending	Fiscal Year To Date
Current Year	24,129.46	145,941.80
Average Daily Balance	**48,407,431.80**	**40,441,500.18**
Effective Rate of Return	**0.65%**	**0.54%**

The above investments are consistent with the City's Investment Policy and allowable under current legislation of the State of California. Investments were selected using safety, liquidity and yield as the criteria. The source of the market values for the investments are provided by Union Bank of California in accordance with the California Government Code requirement. The City has sufficient cash flow to cover anticipated expenditures through the next six months.

Belinda Warner, Director of Finance/Treasurer — 4/20/15

Reporting period 02/01/2015-02/28/2015

Run Date: 03/30/2015 - 15:14

Portfolio CITY
CP
PM (PRF_PM1) 7.3.0
Report Ver. 7.3.3b

City of Richmond
Portfolio Management
Portfolio Details - Investments
February 28, 2015

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM/C 365	Days to Maturity	Maturity Date
Local Agency Investment Funds												
11-07-003	200676	L.A.I.F. - TRAN			13.58	13.58	13.58	0.266		0.266	1	
98-07-724	1000	L.A.I.F. - City of Richmond			586,722.40	586,722.40	586,722.40	0.027		0.027	1	
		Subtotal and Average	**586,735.98**		**586,735.98**	**586,735.98**	**586,735.98**			**0.027**	**1**	
Money Markets												
SYS200595	200595	Torrey Pines/Alta Alliance			440,021.02	440,021.02	440,021.02	0.200		0.203	1	
SYS200602	200810	CALTRUST TRAN		11/24/2014	15,949,445.35	15,949,445.35	15,949,445.35	0.510		0.517	1	
SYS200601	200601	Cal Trust			2,846,846.06	2,846,846.06	2,846,846.06	0.510		0.517	1	
1601111894	200581	Wells Fargo Bank			345,499.25	345,499.25	345,499.25	0.100		0.101	1	
431114503	200534	Union Bank of Calif - Safekeep			0.00	0.00	0.00			0.000	1	
		Subtotal and Average	**26,672,242.60**		**19,581,811.68**	**19,581,811.68**	**19,581,811.68**			**0.503**	**1**	
Federal Agency Issues - Coupon												
3133ECMF8	200784	Federal Farm Credit Bank		04/25/2013	3,000,000.00	2,984,280.00	2,996,250.00	0.980	AAA	1.006	1,150	04/24/2018
313382FP3	200779	Federal Home Loan Bank		03/20/2013	3,000,000.00	2,955,360.00	2,995,500.00	1.030	AAA	1.061	1,115	03/20/2018
3134G33Y4	200766	Federal Home Loan Mortgage Cor		01/22/2013	2,000,000.00	1,990,160.00	1,997,000.00	0.950	AAA	0.981	1,058	01/22/2018
3134G42G2	200786	Federal Home Loan Mortgage Cor		04/30/2013	3,000,000.00	2,972,730.00	3,000,300.00	1.050	AAA	1.048	1,156	04/30/2018
3136G23H8	200809	Federal National Mortgage Asso		08/15/2014	3,000,000.00	3,014,340.00	3,000,000.00	1.600	AAA	1.600	533	11/15/2018
		Subtotal and Average	**13,989,050.00**		**14,000,000.00**	**13,916,870.00**	**13,989,050.00**			**1.150**	**998**	
Certificates of Deposit												
05568P2U0	200775	BMW BANK		03/04/2013	250,000.00	250,092.50	250,000.00	0.700		0.700	373	03/08/2016
254671NJ5	200788	Discover Bank		04/23/2013	250,000.00	248,310.00	250,000.00	1.150		1.150	1,157	05/01/2018
38147JBJ0	200774	GOLDMAN SACHS		03/04/2013	250,000.00	250,197.50	250,000.00	0.650		0.650	197	09/14/2015
		Subtotal and Average	**750,000.00**		**750,000.00**	**748,600.00**	**750,000.00**			**0.833**	**576**	
		Total and Average	**48,407,431.80**		**34,918,547.66**	**34,834,017.66**	**34,907,597.66**			**0.761**	**413**	

City of Richmond
Portfolio Management
Portfolio Details - Cash
February 28, 2015

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM/C 365	Days to Maturity
Cash In Banks											
SYS200723	200723	Mechanics Bank			8,046,593.73	8,046,593.73	8,046,593.73			0.000	1
		Average Balance	**0.00**	Accrued Interest at Purchase		81.67	81.67				**1**
				Subtotal		8,046,675.40	8,046,675.40				
		Total Cash and Investments	**48,407,431.80**		**42,965,141.39**	**42,880,693.06**	**42,954,273.06**			**0.761**	**413**

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CITY OF RICHMOND
CASH BALANCES BY FUND
COMPARATIVE REPORT - FEBRUARY 2014 AND FEBRUARY 2015

FUND	FUND DESCRIPTION	FEBRUARY 2014 AMOUNT	FEBRUARY 2014 TOTAL	FEBRUARY 2015 AMOUNT	FEBRUARY 2015 TOTAL	% Change
GENERAL FUND						
0001	GENERAL FUND	19,284,136.56	19,284,136.56	18,998,800.43	18,998,800.43	98.5%
SPECIAL REVENUE FUNDS						
1001	SECURED PENSION OVERRIDE	(2,252,575.93)		(3,586,092.40)		
1002	STATE GAS TAX	1,432,253.09		981,622.90		
1003	PARATRANSIT OPERATIONS	(582,094.41)		(480,985.70)		
1004	ASSET SEIZURE FUND	455,391.66		649,434.95		
1005	LIBRARY FUND	777,277.77		661,743.54		
1006	OUTSIDE FUNDED SVCS - GRANTS	(599,758.25)		(325,933.82)		
1007	EMERGENCY MED SERV	90,658.75		355,401.10		
1008	PT MOLATE SEC & MAINT	(364,758.04)		(364,758.04)		
1009	VEOLIA MITIGATION	101,350.30		84,135.98		
1010	N.RICHMOND WASTE	104,230.28		(253,304.49)		
1011	OUTSIDE FUNDED SVCS - DONATION	20,647.79		(6,069.45)		
1012	HILLTOP LANDSCAPE MAINT DIST	364,604.23		220,163.32		
1013	HAZMAT FUND	641,953.09		663,944.37		
1014	EDA GRANT FUND	345,383.05		353,444.53		
1015	MARINA BAY LNDSCP & LIGHT DIST	715,967.07		592,016.72		
1016	DOWNTOWN BUSINESS IMPRV DIST	(30,145.37)		-		
1017	CHEVRON MODERNIZATION PROJECT	-		1,000,000.00		
1050	CR-PLANNING & BUILDING	(5,360,831.97)		(5,988,444.71)		
1051	CR-ENGINEERING	(374,014.45)		(2,069,328.58)		
1053	CR-CODE ENFOCEMENT	(4,727,115.25)		(2,911,016.22)		
1054	ENGINEERING GRANTS	1,994,417.55		1,734,299.71		
1200	HOUSING ADMINISTRATION	(468,286.89)		(414,181.83)		
1201	CDBG	(81,982.86)		(238,666.39)		

FUND	FUND DESCRIPTION	FEBRUARY 2014 AMOUNT	FEBRUARY 2014 TOTAL	FEBRUARY 2015 AMOUNT	FEBRUARY 2015 TOTAL	% Change
1202	HOME PROGRAM	(794,225.12)		(786,997.12)		
1203	NEIGHBORHOOD STABILIZATION	37,220.49		(22,132.61)		
1205	EMPLOYMENT & TRAINING	1,479,578.19		1,413,093.63		
1206	CDBG HOMELESS PREV RAPID RESP	0.54		0.54		
1207	COR-NEIGHBORHOOD STAB(CITY)	(506,253.85)		(814,324.23)		
1208	SUCCESSOR HOUSING AGENCY	416,098.38		661,057.18		
1209	CAL-HOME GRANT FUND	65,020.39	(7,099,989.77)	83,161.72	(8,808,715.40)	124.1%
CAPITAL PROJECT FUNDS						
2001	GENERAL CAPITAL FUND	6,453,798.92		4,272,370.98		
2002	MEASURE J	(126,279.93)		632,122.90		
2003	CIP LSE REV BOND 01	60,027.56		12.30		
2004	CIVIC CENTER	1,773.34		0.36		
2006	PARKS FUND	(1,038,081.77)		(1,038,081.77)		
2007	HARBOR FUND	775,484.77		774,538.73		
2008	TRANSPORTATION FUND	1,046.40		0.21		
2009	STATE HIGHWAY FUND	44,546.86		9.13		
2110	IMPACT FEE - PARKS	1,035,119.56		620,703.02		
2111	IMPACT FEE - TRAFFIC	(2,857,523.79)		(1,822,583.36)		
2113	IMPACT FEE - FIRE	49,178.74		124,505.73		
2114	IMPACT FEE - POLICE	122,105.24		189,753.17		
2115	IMPACT FEE - COMM/AQUATC	106,899.53		186,119.78		
2116	IMPACT FEE - PARKS/OPEN	(649,327.63)		(252,661.96)		
2117	IMPACT FEE - LIBRARY	122,883.79		239,523.14		
2118	IMPACT FEE - HILLTOP			25,726.45		
2119	IMPACT FEE - STORM DRAINAGE	(177,243.29)		423,767.08		
2125	SECTION 108 IRON TRIANGLE	1,511,496.69		1,511,983.74		
2126	HOUSING CIP FUND	(72,720.71)	5,363,184.28	(200,000.00)	5,687,809.63	106.1%
DEBT SERVICE FUNDS						

FUND	FUND DESCRIPTION	FEBRUARY 2014 AMOUNT	FEBRUARY 2014 TOTAL	FEBRUARY 2015 AMOUNT	FEBRUARY 2015 TOTAL	% Change
3001	DS - 2005 TAXABLE POB	8,631,779.16		8,570,671.58		
3002	DS - 99A PENSION OBLIG BOND	453,362.79		(21,696.71)		
3005	DS-2007 REFNDING&CVC CTR	1,908,238.72	10,993,380.67	5,554,361.18	14,103,336.05	128.3%
ENTERPRISE FUNDS						
4001	PORT OF RICHMOND	7,735,107.58		6,159,521.06		
4003	WASTEWATER	32,899,686.18		29,538,248.93		
4005	MARINA	2,957,953.27		3,122,762.74		
4006	STORMWATER	(1,887,173.36)		(2,621,744.29)		
4008	KCRT - CABLE TELEVIS	650,118.66		741,418.41		
4101	RHA-HSNG CHOICE VOUCHER-SEC 8			933,086.41		
4102	RHA-HOPE 6			(228,859.52)		
4103	RHA-PROJECT REAL			(47,121.28)		
4201	RHA-CAPITAL FUND			541,886.16		
4401	RHA-HACIENDA			(439,813.84)		
4402	RHA-FRIENDSHIP MANOR			(162,389.13)		
4403	RHA-TRIANGLE COURT			(244,829.37)		
4404	RHA-NEVIN PLAZA			(486,668.53)		
4405	RHA-NYSTROM VILLAGE			(216,008.86)		
4406	RHA-RICHMOND VILLAGE ONE			(56,361.98)		
4407	RHA-RICHMOND VILLAGE TWO			(17,595.00)		
4408	RHA-RICHMOND VILLAGE THREE			(22,554.00)		
4409	RHA-LOCAL FUND			(4,462.56)		
4501	RHA-CENTRAL OFFICE COST CNTR	-	42,355,692.33	(847,458.29)	35,641,057.06	84.1%
INTERNAL SERVICE FUNDS						
5001	INSURANCE RESERVES	14,000,730.57		21,223,239.09		
5003	EQUIPMENT SERVICES	2,027,280.23		603,805.41		
5004	FACILITIES MANAGEMENT	-		(3,778.65)		
5005	CAD DISPATCH SYSTEM	2,291.34		323,276.51		
5006	RMS RECORDS SERVICES	175,234.00		171,015.84		

FUND	FUND DESCRIPTION	FEBRUARY 2014 AMOUNT	FEBRUARY 2014 TOTAL	FEBRUARY 2015 AMOUNT	FEBRUARY 2015 TOTAL	% Change
5007	800 MHZ TELECOM SYSTEM	-	16,205,536.14	-	22,317,558.20	137.7%
TRUST & AGENCY FUNDS						
6001	GENERAL TRUST & AGENCY	1,927.96		15,661.29		
6002	JOHNSON TRUST	10,195.09		10,171.04		
6003	CUBA FRIENDSHIP	1,975.93		1,971.25		
6004	COMMISSION ON AGING	41,585.31		39,086.80		
6005	SEAVER GALLERY TRUST FUND	65,954.09		111,598.58		
6006	POLICE GENERAL TRUST	984,870.91		917,256.83		
6007	SENIOR TRUST DEPOSIT	44,581.30		51,168.58		
6049	PT MOLATE NAVY GRANT	19,354,089.68		15,412,162.30		
6050	GENERAL PENSION FUND	644,444.73		593,770.60		
6051	POLICE & FIRE PENSION	15,879,952.81		11,298,660.65		
6052	GARFIELD PENSION FUND	110,298.77		201,353.55		
6055	HILLTOP REDEMPTION F	(1,687.50)		-		
6056	SAN PABLO 854 ASSES	250,756.59		250,165.03		
6057	HARBOR NAVIGATION IM	505,087.09		506,574.30		
6058	MARINA WESTSHORE DEB	791,959.40		779,567.01		
6059	COUNTRY CLUB VISTA	1,382,589.32		1,375,759.70		
6060	REASSESSMENT DISTRICT 2003-1	2,475,497.02		2,592,877.29		
6999	PAYROLL LIABILITIES FUND	3,187,572.75	45,731,651.25	1,763,182.63	35,920,987.43	78.5%
SUCCESSOR AGENCY - FIDUCIARY FUNDS						
6101	SA - PROPERTY TAX TRUST FUND	5,488,728.04		2,338,081.21		
6102	SA-ADMINISTRATION	(710,865.56)		(2,588.38)		
6103	SA-CAPITAL PROJECT FUNDS	(10,325,550.12)		(3,296,127.14)		
6104	SA-LOW/MOD INCOME HOUSING	4,142,579.18		-		
6201	SA-CIP 00A TARB BND PRCDS-JPFA	17.78		-		
6202	SA-CIP 00B TARB BND PRCDS-HSNG	945,155.69		58.76		
6203	SA-CIP 03B TARB BND PRCDS	308,288.37		-		
6204	SA-CIP 04A TARB BND PRCDS	40.77		-		

FUND	FUND DESCRIPTION	FEBRUARY 2014 AMOUNT	FEBRUARY 2014 TOTAL	FEBRUARY 2015 AMOUNT	FEBRUARY 2015 TOTAL	% Change
6205	SA-CIP 04A TARB BND PRCDS-HSG	276,713.02		276,763.66		
6206	SA-CIP 04B TARB BND PRCDS-HSG	614,746.65		610,830.57		
6207	SA-CIP 07A TARB BND PRCDS	578,728.97		126,892.62		
6208	SA-CIP 07B TARB BND PRCDS-HSG	2,107,831.50		591,703.89		
6300	SA-DS HARBOR 98 TARB	1,102,129.28		2,300,000.00		
6301	SA-DS 2000A TARB	4,114,267.22		-		
6302	SA-DS 2000B TARB - HOUSING	1,054,389.71		-		
6303	SA-DS 2003A TARB	2,003,988.20		11.00		
6304	SA-DS 2003B TARB	1,720,541.71		1,733,845.40		
6305	SA-DS 2004A TARB 2/3	1,841,833.66		1,839,234.96		
6306	SA-DS 2004A TARB -1/3 HSING	920,762.95		919,463.09		
6307	SA-DS 2004B TARB - HOUSING	338,465.55		340,898.82		
6308	SA-DS 2007/10A TARB	8,040,417.43		7,988,499.30		
6309	SA-DS 2007/10B TARB - HOUSING	1,656,651.48		1,673,201.87		
6401	SA-DS 2014A NON-TAXABLE BONDS	-		5,198,336.00		
6402	SA-DS 2014B TAXABLE BONDS	-	26,219,861.48	521,853.94	23,160,959.57	88.3%
					-	
RICHMOND HOUSING AUTHORITY						
8101	RHA - CONVENTIONAL FUND	(9,187,299.45)	(9,187,299.45)	(2,620,707.76)	(2,620,707.76)	28.5%
TREASURER'S FUNDS						
9999	TREASURER'S FUND -	(394,247.61)	(394,247.61)	2,821.33	2,821.33	-0.7%
TOTAL CASH			**149,471,905.88**		**144,403,906.54**	96.6%
			-		-	

AGENDA ITEM REQUEST FORM

#F-2.

Department: Public Works **Department Head:** Yader A. Bermudez **Phone:** (510) 621-1238

Meeting Date: 5/19/2015 **Final Decision Date Deadline:** 5/19/2015

STATEMENT OF THE ISSUE: Staff is requesting authorization to amend the contract with NEMA Construction, expanding the scope of work to install video detection systems for purposes of traffic signal management on the Richmond Parkway, increasing the original contract by $150,000.00 for a total contract amount of $450,000.00.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐**Other**_____

ITEM _____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☐ **Other** _____

☒ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: APPROVE a contract amendment with NEMA Construction, expanding the scope of work to install video detection systems for purposes of traffic signal management on the Richmond Parkway at Gertrude and Goodrick Avenues, and increasing the original contract amount by $150,000 for a total contract amount not to exceed $450,000 – Public Works Department (Yader A. Bermudez 621-1238).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

F-2.

PUBLIC WORKS –
OPERATIONS & MAINTENANCE

AGENDA REPORT

DATE: May 19, 2015

TO: Mayor Butt and Members of the City Council

FROM: Yader A. Bermudez, Public Works Director
Al Shanklin, Public Works Superintendent

SUBJECT: PROPOSED CONTRACT AMENDMENT WITH NEMA CONSTRUCTION FOR THE REHABILITATON OF THE RICHMOND PARKWAY TRAFFIC SIGNAL INTERCONNECT SYSTEM

STATEMENT OF THE ISSUE:

Staff is requesting authorization to amend the contract with NEMA Construction, expanding the scope of work to install video detection systems for purposes of traffic signal management on the Richmond Parkway, increasing the original contract by $150,000.00 for a total contract amount of $450,000.00.

RECOMMENDED ACTION:

APPROVE a contract amendment with NEMA Construction, expanding the scope of work to install video detection systems for purposes of traffic signal management on the Richmond Parkway at Gertrude and Goodrick Avenues, and increasing the original contract amount by $150,000 for a total contract amount not to exceed $450,000.

FINANCIAL IMPACT OF RECOMMENDATION:

The expenditure of $100,000.00 is funded in the approved fiscal year 2014-15 Public Works CIP budget. The remaining $50,000.00 will be included in fiscal year 2015-16 Public Works operational budget.

- Measure J Contractual Services (20221331-400538-21C06) $70,000.00
- Measure J Contingency (20221331-400646-21C06) $30,000.00

DISCUSSION:

On February 3, 2015, the City Council approved a contract with NEMA Construction for the rehabilitation of the Richmond Parkway interconnect traffic signal system in the amount of $300,000.00.

A significant increase in regional traffic, combined with the continued deterioration of the existing traffic signal detection systems, has created significant traffic delays on the Richmond Parkway. The worst locations for these delays are at the intersections of the Richmond Parkway and Gertrude and Goodrick Avenues.

To alleviate traffic congestion along this corridor, staff is proposing an amendment to the existing contract with NEMA Construction, expanding the scope of work and cost, allowing for the installation of video detection systems at Gertrude and Goodrick Avenues on the Richmond Parkway.

DOCUMENTS ATTACHED:

Attachment 1 - Contract Amendment
Attachment 2 - Original Contract
Attachment 3 - Original Staff Report dated 2/3/2015
Attachment 4 - Contractor Video Detection System Proposal

FIRST AMENDMENT TO CONSTRUCTION AGREEMENT BETWEEN THE CITY OF RICHMOND AND NEMA CONSTRUCTION

This First Amendment to the Construction Agreement (the "First Amendment") is entered into as of ___, 2015, by and between the City of Richmond, a municipal corporation and charter city ("City") and NEMA Construction, a California Corporation ("Contractor"), with reference to the following facts.

RECITALS

A. City and Contractor entered into that certain Construction Agreement dated February 3, 2015 (the "Agreement") to furnish construction of Richmond Pkwy. Interconnect Wire and Pull Box Replacement (the "Project").

B. The Parties now desire to enter into this First Amendment in order to increase the expenditures under the Construction Agreement by an additional not-to-exceed sum of $150,000.00 (the "Additional Expenditures"), for a total amended not-to exceed amount of $450,000.00 as set forth on Attachment 1 attached and incorporated hereto (the "First Amended Amount").

NOW THEREFORE, in consideration of the recitals hereof, and other mutual covenants and promises contained herein and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree to amend the Agreement as follows:

Section 1 Amendment to Payments.

The Construction Agreement is hereby amended by this First Amendment in order to increase the Original Amount by the Additional Expenditures to reflect a new total of authorized expenditures under the Construction Agreement, equal to the First Amended Amount.

Section 2. Amendment to Scope of Work.

The Construction Agreement is hereby amended by this First Amendment in order to add _____ work to the Project as set forth in Attachment 1.

Section 3. Miscellaneous.

(a) Except as amended by this First Amendment, the Construction Agreement has not been modified and is in full force and effect.

(b) Each of the individuals executing this First Amendment on behalf of the Contractor and City individually represents and warrants that he or she has been authorized to do so and has the power to bind the party for whom they are signing.

(c) This First Amendment may be signed in any number of counterparts with the same effect as it the signatures to each counterpart were upon a single instrument, and is intended to be binding when all parties have delivered their signatures to the other parties. Signatures may be delivered by facsimile or electronic transmission. All counterparts shall be deemed an original of this First Amendment.

(d) WHEREFORE, the Parties have executed this First Amendment on or as of the date first above written.

IN WITNESS WHEREOF, City and Contractor have executed this First Amendment duly authorized representatives, all on the date first written above.

Reviewed By:

_____
City Attorney

ATTEST:

_____
City Clerk

CITY:

CITY OF RICHMOND, a municipal corporation and charter city

By: _____

Name: Bill Lindsay
Its: City Manager

CONTRACTOR:

_____, a [CORPORATE FORM]

By: _____

Name:
Its:

Attachment 1

Contractor shall expand the scope of work to install video detection systems at Gertrude and Goodrick Avenues on Richmond Parkway, in accordance with proposal date April 4, 2015, and incorporated herein by this reference.

City's total payments shall not exceed $450,000.00

#F-2.

NEMA Construction

Project : Richmond Parkway interconnect wire and pull box replacement **Date : 04/14/15**

Proposal

Description:Video detection system at Gertrude/parkway and Goodrick/parkway.			
ITEM OF WORK		Cost	
Item No	DESCRIPTION		
	All conduits required to do this project. 2" conduit Boring and trenching.		
	4-Camera at each intersection with all devices.Total of 8- Cameras.		
	All connection and testing.		
	TOTAL	**$145,250.00**	

Notes

555 Pierce Street #1005
Albany,CA 94706
nema(-44-.com
TEL: 510-525-2398
FAX: 510-525-2304

§ 66499.2. Bond for security of laborers and material suppliers; form, CA GOVT § 66499.2

PAYMENT BOND

Whereas, The City Council of the City of Richmond, State of California, and _____ (hereinafter designated as "the principal") have entered into an agreement whereby the principal agrees to install and complete certain designated public improvements, which agreement, dated _____, 201__, and identified as project _____, is hereby referred to and made a part hereof; and

Whereas, Under the terms of the agreement, the principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Richmond to secure the claims to which reference is made in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code.

Now, therefore, the principal and _____, as corporate surety, are held firmly bound unto the City of Richmond (hereinafter called "City") and all contractors, subcontractors, laborers, material suppliers, and other persons employed in the performance of the agreement and referred to in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code in the sum of _____ dollars ($ _____), for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

In witness whereof, this instrument has been duly executed by the principal and surety above named, on _____, 201__.

By: _____

Title: _____

By: _____

Title: _____

1

§ 66499.1. Faithful performance bond; form, CA GOVT § 66499.1

PERFORMANCE BOND

Whereas, The City Council of the City of Richmond, State of California, and _____ (hereinafter designated as "principal") have entered into an agreement whereby principal agrees to install and complete certain designated public improvements, which said agreement, dated _____, 201_, and identified as project _____, is hereby referred to and made a part hereof; and

Whereas, Said principal is required under the terms of said agreement to furnish a bond for the faithful performance of said agreement.

Now, therefore, we, the principal and _____, as surety, are held and firmly bound unto the City of Richmond (hereinafter called "City"), in the penal sum of _____ dollars ($_____) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bounded principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless City, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As a part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

In witness whereof, this instrument has been duly executed by the principal and surety above named, on _____, 201__.

By: _____

Title: _____

By: _____

Title: _____

City of Richmond - Insurance Requirements – Type 1: Consultants and Contractors

In all instances where a CONTRACTOR or its representatives will be conducting business and/or providing services, the City requires the following MINIMUM insurance requirements and limits.

CONTRACTOR shall procure and maintain for the duration of the contract, agreement, or other order for work, services or supplies, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the CONTRACTOR, its agents, representatives, employees or subcontractors. **Maintenance of proper insurance coverage is a material element of the contract. Failure to maintain or renew coverage or to provide evidence of renewal may be treated by the City as a material breach of contract.**

CONTRACTOR agrees that in the event of loss due to any of the perils for which it has agreed to provide Commercial General Liability insurance, CONTRACTOR shall look solely to its insurance for recovery. CONTRACTOR hereby grants to CITY, on behalf of any insurer providing Commercial General Liability insurance to either CONTRACTOR or CITY with respect to the services of CONSULTANT herein, a waiver of any right to subrogation which any such insurer of said CONTRACTOR may acquire against the CITY by virtue of the payment of any loss under such insurance.

Original, signed certificates and original, separate policy endorsements, naming the City as an additional insured for general liability, as well as a waiver of subrogation for Workers' Compensation insurance, shall be received and approved by the City **before any work may begin.** However, failure to do so shall not operate as a waiver of these insurance requirements.

City reserves the right to modify or require additional coverages for specific risk exposures depending on scope of CONTRACTORS work.

Minimum coverage is detailed below. The policy limits of coverage shall be made available to the full limits of the policy. The minimum limits stated herein shall not serve to reduce the policy limits of coverage of CONTRACTOR.

Minimum Scope of Insurance – the following forms shall be provided and coverage shall be at least as broad as the following:

1. Insurance Services Office Commercial General Liability coverage (ISO Occurrence Form CG 0001) including coverage for bodily and personal injury, property damage, and products and completed operations.
2. Insurance Services Office Automobile Liability coverage (ISO Form CA 0001, Code 1, Any Auto)
3. Original and Separate Additional Insured Endorsements for General Liability (ISO Form CG 20 10 11/85 or its equivalent) with primary and non-contributory language.
4. Workers' Compensation Insurance as required by the State of California including Employer's Liability coverage.
5. Original and Separate Waiver of Subrogation for Workers' Compensation and Builder's Risk/ Course of Construction Insurance.
6. Builder's Risk/Course of Construction insurance covering all risks of loss less policy exclusions when the City of Richmond has a financial interest in the property. – *(Only required for Construction Contracts involving property)*
7. Contractor's Pollution Liability (*if applicable for Construction Contractors*)

Required Coverage	Minimum Limits
Workers' Compensation and Employers' Liability	Statutory limits as required by the State of California including $1 million Employers' Liability per accident, per employee for bodily injury or disease. If CONTRACTOR is self-insured, provide a certificate of Permission to Self-Insure, signed by the California Department of Industrial Relations and Self-Insurance. If contractor is a sole proprietor (has no employees) than contractor must sign "Contractor Release of Liability" found at: http://www.ci.richmond.ca.us/index.aspx?nid=61.

City of Richmond - Insurance Requirements – Type 1: Consultants and Contractors

General Liability *(primary and excess limits combined)*	**PROJECT COST**	**REQUIRED LIMIT**
	$0 - $5 million	$2 million p/o
	$5 million - $10 million	$5 million p/o
	Over $10 million	$10 million p/o
	Fireworks	***$5 million p/o***
	Includes coverage for bodily injury, personal injury, property damage and products and completed operations. The policy shall not exclude coverage for XCU perils (explosion, collapse, or damage to underground property). If the policy includes a general aggregate, either the general aggregate shall apply separately to this project, service or location or the **minimum required aggregate limit shall be twice the per occurrence limit ($4 million aggregate limit).** Policy shall be endorsed to name the City of Richmond as an additional insured per the conditions detailed below.	
Automobile Liability	**$1,000,000** per occurrence for bodily injury and property damage.	
Builders' Risk/Course of Construction – Covers property under construction, repair or renovation as well as equipment and materials to be installed. ***(Only required for Construction Projects involving property and equipment installation.)***	Coverage shall include all risks of direct physical loss, excluding earthquake, *for an amount equal to the full completed value of the covered structure or replacement value of alterations or additions, including soft costs and business interruption.* If the project does not involve new or major reconstruction, an Installation Floater may be acceptable. For such projects, a property installation floater shall be obtained that provides for the improvement, remodel, modification, alteration, conversion or adjustment to existing buildings, structures, processes, machinery and equipment. The Property Installation Floater shall provide property damage coverage for any building, structure, machinery or equipment damaged, impaired, broken or destroyed during the performance of the Work, including during transit, installation and testing at the City of Richmond's site. The City of Richmond shall be named as loss payee as its interest may appear. The insurer shall waive all rights of subrogation against City.	
Contractor's Pollution Liability *(if applicable)* Protects against: *unexpected/unintended release of pollution resulting from contractors covered operations such as:* HVAC, paving, carpentry, pipeline & tank installation, drillers, remediation contractors, maintenance, mechanical, demolition, excavation, grading, street/road construction, residential & commercial builders.	Same limits as General Liability.	
Required Policy Conditions		
A. M. Best Rating	A:VII or Better. If the A.M. Best Rating falls below the required rating, CONTRACTOR must replace coverage immediately and provide notice to City.	
Additional Insured Endorsement	Applicable to General Liability Coverage. The City of Richmond, its officers, officials, employees, agents and volunteers are to be named as additional insureds for all liability arising out of the operations by or on behalf of the named insured, including but not limited to bodily injury, deaths and property damage or destruction arising in any respect directly or indirectly in the performance of this contract. ***ISO form CG 20 10 (11/85) or its equivalent is required. The endorsement must not exclude products and completed operations coverage. If it does, then CG 20 37 (10/01) is also required.***	

City of Richmond - Insurance Requirements – Type 1: Consultants and Contractors

Additional Insured Endorsement (continued)	*SAMPLE Endorsements can be found at* ***http://www.ci.richmond.ca.us/index.aspx?nid=61***
Primary and Noncontributory	The contractor's insurance coverage must be primary coverage as it pertains to the City, its officers, officials, employees, agents and volunteers. Any insurance or self insurance maintained by the City is wholly separate from the insurance of the contractor and in no way relieves the contractor from its responsibility to provide insurance.
Waiver of Subrogation Endorsement Form	Contractor's insurer will provide a Waiver of Subrogation in favor of the City for Workers Compensation and Builder's Risk/ Course of Construction coverage during the life of this contract. SAMPLE Endorsements can be found at ***http://www.ci.richmond.ca.us/index.aspx?nid=61***
Deductibles and Self-Insured Retentions	Any deductible or self-insured retention must be declared to and approved by the City. At the option of the City either the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City or the CONTRACTOR shall procure a financial guarantee in an amount equal to the deductible or self-insured retention guaranteeing payment of losses and related investigations, claims administration and defense expenses. Contractor is responsible for satisfaction of the deductible and/or self-insured retention for each loss.
Loss Payable Endorsement **(only required when Builder's Risk and/or Course of Construction Insurance is required.)**	Applicable to Builder's Risk/Course of Construction naming the City of Richmond as Loss Payee.
SURETY BONDS (If a Public Works/Engineering Project)	The Contractor shall provide: 1. A Bid bond 2. A Performance Bond **3.** A Payment Bond

Umbrella/Excess Liability Policies

If an Umbrella or Excess Liability Policy is used to meet the liability limits, coverage shall be as broad as specified for underlying coverages and cover those insured in the underlying policies.

Claims-Made Policies

If any insurance policy is written on a claims-made form: 1) the retroactive date must be shown, and must be before the date of the contract or the beginning of contract work. 2) Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work. 3) If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the contract effective date, the Contractor must purchase an extended period coverage for a minimum of five (5) years after completion of contract work.

Subcontractors

CONTRACTOR shall include all subcontractors as insured under its policies or shall furnish to the City for review and approval, separate certificates and endorsements for each subcontractor. All coverage for subcontractors shall be subject to all of the requirements stated herein.

CONTRACTOR agrees to defend and indemnify the City of Richmond for any damage resulting to it from failure of either CONTRACTOR or any subcontractor to take out or maintain the required insurance policies. The fact that insurance is obtained by CONTRACTOR, and/or CONTRACTOR's subcontractors, will not be deemed to release or diminish the liability of CONTRACTOR, including, without limitation, liability under the indemnity provisions of this contract. Damages recoverable by CITY from CONTRACTOR or any third party will not be limited by the amount of the required insurance coverage.

City of Richmond - Insurance Requirements – Type 1: Consultants and Contractors

Verification of Coverage

All original certificates and endorsements shall be received and approved by the City ***before work may begin***. The City of Richmond reserves the right to require complete, certified copies of all required insurance policies including endorsements affecting the coverage at any time.

Original insurance certificates and required policy endorsements shall be mailed, or delivered to the Designated Project Manager for the City of Richmond.

Insurance certificates and endorsements may be faxed to the Designated Project Manager. However, Contractor must mail the original certificates and endorsements to Designated Project Manager once faxed.

Continuous Coverage

CONTRACTOR shall maintain the required insurance for the life of the contract. Should the CONTRACTOR cease to have insurance as required during this time, all work by the CONTRACTOR pursuant to this agreement shall cease until insurance acceptable to the City is provided. In the event that CONTRACTOR fails to comply with the City's insurance requirements, the City may take such action as it deems necessary to protect the City's interests. Such action may include but is not limited to termination of the contract, withholding of payments, or other actions as the City deems appropriate.

If services or the scope of work extend beyond the expiration dates of the required insurance policies initially approved by the City, CONTRACTOR must provide updated certificates and endorsements indicating that the required coverage, terms and conditions are still in place. **Renewal certificates and updated endorsements shall be mailed to the Designated Project Manager.**

Cancellation

CONTRACTOR shall ensure that coverage shall not be cancelled, reduced or otherwise materially changed except after thirty (30) days' prior written notice has been given to the City.

Reporting Requirements

Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the City, its officers, officials, employees or volunteers.

Consistent with Public Policy

The insuring provisions, insofar as they may be judged to be against public policy shall be void and unenforceable only to the minimum extent necessary so that the remaining terms and provisions herein may be consistent with public policy and thus enforceable.

CoR SAMPLE Insurance Certificate and Endorsement Documents

Alliant

INTEGRATED INSURANCE & FINANCIAL SERVICES

Certificate of Liability Insurance (Standard Form)

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS:
	INSURER(S) AFFORDING COVERAGE / NAIC #
INSURED	INSURER A: / INSURER B: / INSURER C: / INSURER D: / INSURER E: / INSURER F:

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	GENERAL LIABILITY COMMERCIAL GENERAL LIABILITY CLAIMS-MADE / OCCUR GEN'L AGGREGATE LIMIT APPLIES PER POLICY / PRO-JECT / LOC						EACH OCCURRENCE $ DAMAGE TO RENTED PREMISES (Ea occurrence) $ MED EXP (Any one person) $ PERSONAL & ADV INJURY $ GENERAL AGGREGATE $ PRODUCTS - COMP/OP AGG $ $
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS / SCHEDULED AUTOS HIRED AUTOS / NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) $ BODILY INJURY (Per person) $ BODILY INJURY (Per accident) $ PROPERTY DAMAGE (Per accident) $ $
	UMBRELLA LIAB / OCCUR EXCESS LIAB / CLAIMS-MADE DED / RETENTION $						EACH OCCURRENCE $ AGGREGATE $ $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N / N/A If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATU-TORY LIMITS / OTH-ER E.L. EACH ACCIDENT $ E.L. DISEASE - EA EMPLOYEE $ E.L. DISEASE - POLICY LIMIT $

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER	CANCELLATION
	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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CoR SAMPLE Insurance Certificate and Endorsement Documents

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

POLICY NUMBER: COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – (FORM B)

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE F

SCHEDULE

Name of Person or Organization:

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule, but only with respect to liability arising out of "your work" for that insured by or for you.

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Alliant

INTEGRATED INSURANCE & FINANCIAL SERVICES

Reproduction of Insurance Services Office, Inc. Form

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY
CG 20 10 10 01

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Person or Organization:

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

A. Section II – Who Is An Insured is amended to include as an insured the person or organization shown in the Schedule, but only with respect to liability arising out of your ongoing operations performed for that insured.

B. With respect to the insurance afforded to these additional insureds, the following exclusion is added:

2. Exclusions

This insurance does not apply to "bodily injury" or "property damage" occurring after

(1) All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the site of the covered operations has been completed; or

(2) That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

SAMPLE

CG 20 10 10 01 © ISO Properties, Inc., 2009 Page 1 of 1

Alliant

INTEGRATED INSURANCE & FINANCIAL SERVICES

Reproduction of Insurance Services Office, Inc. Form

POLICY NUMBER:

COMMERCIAL GENERAL LIABILITY
CG 20 37 10 01

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – COMPLETED OPERATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Person or Organization:
Location And Description of Completed Operations:
Additional Premium:

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

Section II – Who Is An Insured is amended to include as an insured the person or organization shown in the Schedule, but only with respect to liability arising out of "your work" at the location designated and described in the schedule of this endorsement performed for that insured and included in the "products-completed operations hazard".

SAMPLE

CG 20 37 10 01 © ISO Properties, Inc., 2009 Page 1 of 1

CoR SAMPLE Insurance Certificate and Endorsement Documents

SAMPLE Endorsement
Waiver of Subrogation – Workers' Compensation

Alliant

INTEGRATED INSURANCE & FINANCIAL SERVICES

Reproduction of State Compensation Insurance Fund Form

STATE COMPENSATION INSURANCE FUND	P.O. BOX 807, SAN FRANCISCO, CALIFORNIA 94101 CERTIFICATE OF WORKERS' COMPENSATION INSURANCE
	POLICY NUMBER: CERTIFICATE EXPIRES:

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 30 day's written notice to the employer.

We will give you 30 day's advance notice should this policy be canceled prior to its normal expiration.

This certificate of insurance is not an insurance policy and odes not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

_____
PRESIDENT

(Note: following text is typewritten addition to printed form)

THE STATE COMPENSATION INSURANCE FUND WAIVES ANY RIGHT OF SUBROGATION ENDORSEMENT #2570. AGAINST (ENTITY) _____, ITS OFFICIALS, EMPLOYEES AND VOLUNTEERS BY REASON OF ANY PAYMENT UNDER THIS POLICY.

ENDORSEMENT #0015 ENTITLED ADDITIONAL INSURED EMPLOYER EFFECTIVE 07-20-87 IS ATTACHED TO AND FORMS A PART OF THIS POLICY. ADDITIONAL INSURED EMPLOYER: _____.

ENDORSEMENT #2065 ENTITLED 30 DAY CANCELLATION NOTICE EFFECTIVE 07-20-87 IS ATTACHED TO AND FORMS A PART OF THIS POLICY.

LIABILITY OF THE STATE COMPENSATION INSURANCE FUND IS LIMITED TO $3,000,000 FOR ALL DAMAGES FOR ONE OR MORE CLAIMS RESULTING FROM EACH ACCIDENT OF OCCURRENCE ARISING OUT OF ANY ONE EVENT.

_____
EMPLOYER

CoR SAMPLE Insurance Certificate and Endorsement Documents

Contractor Release of Liability
For Workers' Compensation Coverage

TO: City of Richmond

City Department: _____

Contractor's Name: _____

Scope of Services: _____

I, _____, declare under penalty of perjury, that I am a sole proprietor, doing business as _____. As such, I do not employ any employees.

I fully understand that if I hire any employees during the term of this contract, that I must abide by the laws and regulations of the State of California regarding Workers' Compensation insurance. At such time, I will provide the City of Richmond evidence of such Workers' Compensation coverage in compliance with the terms of this contract.

Should I fail to secure Workers' Compensation coverage as required by the State of California, I will defend and indemnify the City of Richmond for any damage resulting to it from my failure to take out or maintain such insurance.

It is further understood and agreed that this release and assumption of risk is to be binding on my heirs and assigns.

Print Name:_____

Signature:_____ Date:_____

CONSTRUCTION AGREEMENT

This Construction Agreement ("Agreement") is made and entered into this 3 day of February, 2015, by and between the City of Richmond, a municipal corporation and charter city ("City") and NEMA Construction, a California Corporation ("Contractor"), with reference to the following facts. The parties may be referred to in this Agreement individually as "Party" and collectively as the "Parties."

RECITALS

A. On October 9, 2014, the City circulated an Invitation for Bids seeking contractors willing to undertake the construction of Richmond Pkwy. Interconnect Wire and Pull Box Replacement, located at Richmond Pkwy from San Pablo Avenue to I580 and Castro Street (the "Project").

B. Contractor submitted the lowest responsive bid and has been determined to be responsible.

C. City now desires to contract with Contractor to furnish construction and related services for the Project.

NOW THEREFORE, in consideration of the promises and agreements hereinafter set forth, and intending to be bound hereby, the Parties agree as follows:

ARTICLE I
CONSTRUCTION OF PROJECT

Section 1.1 Contract Documents.

Project Specifications – including the Notice to Prospective Bidders, Invitation for Bids, Instructions to Bidders, Special Provisions, Description of Work, Construction Details (including all plans and specifications), and Proposal Package, along with any Requests for Information (RFI), responses to RFI, and addenda issued prior to the deadline for submitting bids – Contractor's Proposal attached as Exhibit A, and this Agreement, constitute the "Contract Documents."

Section 1.2 Construction.

Contractor shall furnish all labor, materials, methods, processes, implements, tools and machinery, within the time frames set, and do all the things necessary for the proper completion of the work shown and described in Contract Documents.

Section 1.3 Payments.

Contractor agrees to receive and accept the sums set forth in the Bid Schedule attached as

part of the Proposal, as full compensation for furnishing all materials and doing all the work contemplated and required by this Agreement, and for all loss or damage arising out of the nature of the undertaking of the construction of the Project, or from the acts of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the construction of the Project until its completion and acceptance by the City, and for all expenses incurred by or in consequence of the suspension or discontinuance of the construction of the Project, and for well and faithfully performing the construction of the Project and the whole thereof, in the manner and according to the Contract Documents.

Section 1.4 Discovery of Hazardous Waste or Unusual Conditions.

(a) Promptly and before the following conditions are disturbed, the Contractor shall notify the City in writing of any:

(1) Material that the Contractor believes may be hazardous waste, as defined in Section 25117 of the Health and Safety Code, that is required to be removed to a Class I, Class II, or Class III disposal site in accordance with provisions of existing law.

(2) Subsurface or latent physical conditions at the site differing from those indicated by information about the site made available to bidders prior to the deadline for submitting bids.

(3) Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in work of the character provided for in this Agreement.

(b) The City shall promptly investigate the conditions, and if it finds that the conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in the Contractor's cost of, or the time required for, performance of any part of the work shall issue a Change Order under the procedures described in this Agreement.

(c) In the event that a dispute arises between the City and the Contractor whether the conditions materially differ, or involve hazardous waste, or cause a decrease or increase in the Contractor's cost of, or time required for, performance of any part of the work, the Contractor shall not be excused from any scheduled completion date provided for by this Agreement, but shall proceed with all work to be performed under this Agreement. The Contractor shall retain any and all rights provided either by contract or by law which pertain to the resolution of disputes and protests between the Parties.

Section 1.5 Laws and Regulations.

(a) The Project work shall proceed only after procurement of each permit, license, or other authorization that may be required by any governmental agency having jurisdiction, and Contractor shall be responsible to the City for the procurement and maintenance thereof.

(b) Contractor shall cause all work performed in connection with construction of the Project to be performed in compliance with (i) all applicable laws, ordinances, rules and regulations now in force or that may be enacted hereafter; (ii) all conditions of Project approval and mitigation measures included in any adopted or certified environmental document prepared

for the Project; and (iii) all directions, rules and regulations of any fire marshal, health officer, building inspector, or other officer of every governmental agency now having or hereafter acquiring jurisdiction, provided that such direction given during construction does not conflict with conditions of Project approval or mitigation measures.

(c) Contractor shall and shall cause its subcontractors to pay prevailing wages in the construction of the Project as those wages are determined pursuant to Labor Code Sections 1720 et seq., and implementing regulations of the Department of Industrial Relations, and to comply with all other applicable federal, State and local laws, regulations and ordinances pertaining to labor standards insofar as those laws, regulations and ordinances apply to the performance of this Agreement, including any applicable City of Richmond employment requirements, including but not limited to the City's Living Wage Ordinance (Richmond Municipal Code Chapter 2.60), the City's Business Opportunity Ordinance (Richmond Municipal Code Chapter 2.50), and the City's Local Employment Program Ordinance (Richmond Municipal Code Chapter 2.56). During the construction of the Project, Contractor shall post at the construction site the applicable prevailing rates of per diem wages. Contractor shall indemnify, hold harmless and defend, (with counsel reasonably acceptable to the City) the City against any claims for damages, compensation, fines, penalties or other amounts arising out of failure or alleged failure of any person or entity (including Contractor and its subcontractors) to pay prevailing wages in connection with construction of the Project. This Section 1.5(c) shall survive the termination of this Agreement.

(d) Contractor and all subcontractors shall maintain accurate payroll records showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker and others employed on the Project. Each payroll record shall contain or be verified by a written declaration made under penalty of perjury, stating both of the following: (1) the information contained in the payroll record is true and correct, and (2) the employer has complied with the requirements of Labor Code Section 1771 (prevailing wage provisions), Section 1811 (eight-hour day, forty-hour week provisions), and Section 1815 (overtime compensation) for any work performed by his or her employees on the Project. The Contractor shall provide certified payroll records to the City each week, no later than ten (10) days after the end of a weekly pay period. Pay records shall be maintained and made available in accordance with Labor Code Section 1776. In addition, Contractor shall and shall cause its subcontractors promptly to deliver to the City, upon request, documents verifying compliance with the Living Wage Ordinance, which include documents which evidence that each affected employee has been notified regarding the wages required to be paid pursuant to the Living Wage Ordinance. Such wages shall also be posted at the construction site. This Section 1.5(d) shall survive the termination of this Agreement.

Section 1.6 Inspections.

Contractor shall permit and facilitate, and shall require its subcontractors to permit and facilitate, observation and inspection of the Project by the City and by public authorities at all times for the purposes of determining compliance with this Agreement and permits issued to

perform the Project work. In so doing, Contractor shall provide access for testing and inspections. Contractor shall coordinate and schedule all testing and inspections required on the Project with the required advance notice as defined in the Project Specifications.

Section 1.7 Equal Opportunity.

(a) During the construction of the Project there shall be no discrimination on the basis of race, color, creed, religion, age, sex, sexual orientation, marital status, national origin, ancestry, or disability in the hiring, firing, promoting, or demoting of any person engaged in the construction work.

(b) In addition, Contractor agrees to observe the provisions of Section 2.28.030 of the Richmond Municipal Code, obligating Contractor and its subcontractors to refrain from discriminatory employment or subcontracting practices on the basis of race, color, sex, sexual orientation, religion, creed, national origin or ancestry of any employee, any applicant for employment or any potential subcontractor.

Section 1.8 Working Hours.

Eight hours of labor is a legal day's work. Any worker's time of service is restricted to eight hours during any calendar day, and 40 hours during a calendar week, unless overtime compensation is paid at not less than one and one-half times the basic rate of pay. The Contractor shall be assessed a penalty of twenty-five dollars ($25) for each day a worker is employed in violation of these requirements.

Section 1.9 Insurance and Bond Requirements.

(a) In accordance with California Labor Code Section 3700, Contractor must secure Workers' Compensation coverage for its employees. Prior to performing any work, Contractor must execute a certification in the form set out at California Labor Code Section 1861.

(b) Contractor shall submit to the City evidence of the insurance and payment and performance bond coverage meeting the requirements set forth in the Project Specifications. Proof of insurance and bonding related to the construction of the Project shall be provided to the City not more than (10) days after award of the contract. The City shall review and approve or disapprove of the evidence of insurance within twenty (20) days after submittal of complete information in the form required by the City. If the City disapproves the evidence of insurance, it shall specify in writing the reasons for such disapproval. Contractor shall resubmit the information required within ten (10) days. The review and submittal periods for resubmittals shall be reduced to a ten (10) day review period for the City and a five (5) day period for resubmittal by Contractor and shall continue to apply until the City approves the evidence of insurance coverage, but in no event shall the submittal and review period continue for more than forty-five (45) days. If, after forty-five (45) days the Contractor has not provided evidence of insurance and bond coverage meeting the requirements of the City, the City shall terminate the contract and may either award the work to the next lowest responsive responsible bidder or issue a new request for bids. (If the City issues a new request for bids, the Contractor shall be disqualified from re-bidding the work because of the failure to provide timely proof of insurance and/or bond coverage.) No work shall be initiated on the

Project prior to Contractor's receipt of the City's approval of evidence of insurance coverage related to the construction of the Project.

(c) Contractor shall have furnished the City with evidence of the insurance coverage meeting the insurance requirements set forth in Project Specifications for each subcontractor prior to initiating any work on the Project, including Builder's Risk insurance with appropriate coverage for the cost of construction. The periods for submittal, review and approval shall apply as stated in subparagraph (b) above.

(d) The Parties agree that notwithstanding the time requirements set forth in this subsection for submittal and resubmittal to the City by the Contractor of the evidence of insurance and review and approval of the evidence of insurance by the City, Contractor is responsible for ensuring that the evidence of insurance in approvable form is submitted to the City in a timely manner.

Section 1.10 Security In Lieu of Retention.

(a) The City shall retain five percent (5%) of the sum requested in each progress payment unless the Contractor elects to invoke the procedures set forth at California Public Contract Code 22300 to substitute securities to ensure performance under the contract.

1. At the request and the expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City, or with a state or federally chartered bank in the state as escrow agent, who shall then pay the retained funds to the Contractor. Upon satisfactory completion of the contract, the securities shall be returned to the Contractor.

2. Alternatively, the Contractor may request and the City shall make payment of retentions earned directly to the escrow agent at the expense of the Contractor. At the expense of the Contractor, the Contractor may direct the investment of the payments into securities and the Contractor shall receive the interest earned on the investments upon the same terms provided for in Public Contract Code 22300 for securities deposited by the Contractor. Upon satisfactory completion of this Agreement, the Contractor shall receive from the escrow agent all securities, interest, and payments received by the escrow agent from the owner, pursuant to the terms of this section.

(b) If the Contractor chooses to place securities in escrow, the escrow agreement to be used shall be substantially similar to the following form:

ESCROW AGREEMENT FOR SECURITY DEPOSITS IN LIEU OF RETENTION

This Escrow Agreement is made and entered into by and between _____ whose address is _____ hereinafter called "Owner," _____ whose address is _____ hereinafter called "Contractor" and _____ whose address is _____ hereinafter called "Escrow Agent."

For the consideration hereinafter set forth, the Owner, Contractor, and Escrow Agent agree as follows:

(1) Pursuant to Section 22300 of the Public Contract Code of the State of California, Contractor has the option to deposit securities with Escrow Agent as a substitute for retention earnings required to be withheld by Owner pursuant to the Construction Contract entered into between the Owner and Contractor for ____ in the amount of ____ dated ____ (hereinafter referred to as the "Contract"). Alternatively, on written request of the Contractor, the Owner shall make payments of the retention earnings directly to the Escrow Agent. When the Contractor deposits the securities as a substitute for Contract earnings, the Escrow Agent shall notify the Owner within 10 days of the deposit. The market value of the securities at the time of the substitution shall be at least equal to the cash amount then required to be withheld as retention under the terms of the Contract between the Owner and Contractor. Securities shall be held in the name of ____, and shall designate the Contractor as the beneficial owner.

(2) The Owner shall make progress payments to the Contractor for those funds which otherwise would be withheld from progress payments pursuant to the Contract provisions, provided that the Escrow Agent holds securities in the form and amount specified above.

(3) When the Owner makes payment of retentions earned directly to the Escrow Agent, the Escrow Agent shall hold them for the benefit of the Contractor until the time that the escrow created under this contract is terminated. The Contractor may direct the investment of the payments into securities. All terms and conditions of this agreement and the rights and responsibilities of the parties shall be equally applicable and binding when the Owner pays the Escrow Agent directly.

(4) Contractor shall be responsible for paying all fees for the expenses incurred by Escrow Agent in administering the Escrow Account and all expenses of the Owner. These expenses and payment terms shall be determined by the Owner, Contractor, and Escrow Agent.

(5) The interest earned on the securities or the money market accounts held in escrow and all interest earned on that interest shall be for the sole account of Contractor and shall be subject to withdrawal by Contractor at any time and from time to time without notice to the Owner.

(6) Contractor shall have the right to withdraw all or any part of the principal in the Escrow Account only by written notice to Escrow Agent accompanied by written authorization from the Owner to the Escrow Agent that Owner consents to the withdrawal of the amount sought to be withdrawn by Contractor.

(7) The Owner shall have a right to draw upon the securities in the event of default by the Contractor. Upon seven days' written notice to the Escrow Agent from the Owner of the default, the Escrow Agent shall immediately convert the securities to cash and shall distribute the cash as instructed by the Owner.

(8) Upon receipt of written notification from the Owner certifying that the Contract is final and complete, and that the Contractor has complied with all requirements and procedures applicable to the Contract, Escrow Agent shall release to Contractor all securities and interest on deposit less escrow fees and charges of the Escrow Account. The escrow shall be closed immediately upon disbursement of all moneys and securities on deposit and payments of fees and charges.

(9) Escrow Agent shall rely on the written notifications from the Owner and the Contractor pursuant to Sections (5) to (8), inclusive, of this Agreement and the Owner and Contractor shall hold Escrow Agent harmless from Escrow Agent's release and disbursement of the securities and interest as set forth above.

(10) The names of the persons who are authorized to give written notice or to receive written notice on behalf of the Owner and on behalf of Contractor in connection with the foregoing, and exemplars of their respective signatures are as follows:

On behalf of Owner:	On behalf of Contractor:
Title	Title
Name	Name
Signature	Signature
Address	Address

On behalf of Escrow Agent:

Title

Name

Signature

Address

At the time the Escrow Account is opened, the Owner and Contractor shall deliver to the Escrow Agent a fully executed counterpart of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement by their proper officers on the date first set forth above.

Owner	Contractor
Title	Title
Name	Name
Signature	Signature

Section 1.11 Senate Bill 854 Notice Requirements.

As provided in SB 854: a) no contactor or subcontractor may be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, unless currently registered with the Department of Industrial Relations (DIR) and qualified to perform public work pursuant to Section 1725.5 [Gov't Code Section 1771.1(a)]; b) no contractor or subcontractor may be

awarded a public works contract unless registered with the DIR to perform public work pursuant to Section 1725.5 [Gov't Code Section 1771.1(b)]; and c) work performed on the project is subject to compliance monitoring and enforcement by the DIR [Gov't Code Section 1771.4].

ARTICLE II
DEFAULT AND REMEDIES

Section 2.1 Events of Default.

In addition the remedies set forth in Section 2.2, below, in the event of default the Department Head reserves the right to stop work immediately if any action or inaction by the Contractor or any subcontractor creates a risk of imminent harm to the public or property.

Each of the following shall constitute a "Default" by Contractor under this Agreement:

(a) Breach of Covenants. Failure by Contractor or any subcontractor to duly perform, comply with, or observe any of the conditions, terms, or covenants of any of the Contract Documents. The City shall give Contractor written notice of the breach and specify a time in which to cure the breach. If the Contractor cures the breach within the time specified in the notice or, if the breach cannot be cured in the time specified but the Contractor has diligently pursued measures to cure the breach and to keep the City informed of its progress, then the breach shall not constitute a default provided that the breach is cured within thirty (30) days from the date of the City's last notice and demand to cure.

(b) Disregard of Laws. Disregard of laws, rules, regulations, directions or instructions of City by Contractor or any subcontractor with respect to the performance of work.

(c) Insolvency. A court having jurisdiction shall have made or entered any decree or order (i) adjudging Contractor to be bankrupt or insolvent, (ii) approving as properly filed a petition seeking reorganization of Contractor or seeking any arrangement for Contractor under the bankruptcy law or any other applicable debtor's relief law or statute of the United States or any state or other jurisdiction, (iii) appointing a receiver, trustee, liquidator, or assignee of Contractor in bankruptcy or insolvency or for any of their properties, (iv) directing the winding up or liquidation of Contractor if any such decree or order described in clauses (i) to (iv), inclusive, shall have continued unstayed or undischarged for a period of ninety (90) days; or (v) Contractor shall have admitted in writing its inability to pay its debts as they fall due or shall have voluntarily submitted to or filed a petition seeking any decree or order of the nature described in clauses (i) to (iv), inclusive.

(d) Suspension; Termination. Contractor shall have voluntarily suspended its business, or shall have voluntarily or involuntarily lost or terminated one or more of the licenses required to perform the work.

(e) Liens on Property and the Development. There shall be filed any claim of lien (other than liens approved in writing by the City) against the Project or the construction site or any part thereof, or any interest or right made appurtenant thereto and the continued maintenance

of said claim of lien for a period of twenty (20) days without discharge or satisfaction thereof or provision therefore (including, without limitation, the posting of bonds) satisfactory to the City.

Section 2.2 Remedies.

The occurrence of any Default hereunder following the expiration of all applicable notice and cure periods will, either at the option of the City or automatically where so specified, relieve the City of any obligation to make or continue payments and shall give the City the right to proceed with any and all remedies set forth in the Contract Documents, including but not limited to the following:

(a) Specific Performance. The City shall have the right to mandamus or other suit, action or proceeding at law or in equity to require Contractor to perform its obligations and covenants under this Agreement or to enjoin acts on things which may be unlawful or in violation of the provisions of this Agreement.

(b) Right of Contest. Contractor shall have the right to contest in good faith any claim, demand, levy, or assessment the assertion of which would constitute a Default hereunder. Any such contest shall be prosecuted diligently and in a manner unprejudicial to the City or the rights of the City hereunder.

(c) Remedies Cumulative. No right, power, or remedy given to the City by the terms of the Contract Documents is intended to be exclusive of any other right, power, or remedy; and each and every such right, power, or remedy shall be cumulative and in addition to every other right, power, or remedy given to the City by the terms of any such instrument, or by any statute or otherwise against Contractor and any other person. Neither the failure nor any delay on the part of the City to exercise any such rights and remedies shall operate as a waiver thereof, nor shall any single or partial exercise by the City of any such right or remedy preclude any other or further exercise of such right or remedy, or any other right or remedy.

Section 2.3 Waiver of Damages.

Contractor, in having tendered the Proposal, shall be deemed to have waived any and all claims for damages because of termination of this Agreement for any reason. Contractor shall not be entitled to any lost profit in the event of termination.

ARTICLE III
GENERAL PROVISIONS

Section 3.1 Relationship of Parties.

Nothing contained in this Agreement shall be interpreted or understood by any of the Parties, or by any third persons, as creating the relationship of employer and employee, principal and agent, limited or general partnership, or joint venture between the City and Contractor or its agents, employees or subcontractors, and Contractor shall at all times be deemed an independent contractor and shall be wholly responsible for the manner in which it or its agents, or both, perform the services required of it by the terms of this Agreement. Contractor has and retains the

right to exercise full control of employment, direction, compensation, and discharge of all persons assisting in the performance of services under the Agreement. In regards to the construction of the Project, Contractor shall be solely responsible for all matters relating to payment of its employees, including compliance with Social Security, withholding, and all other laws and regulations governing such matters, and shall include requirements in each contract that subcontractors shall be solely responsible for similar matters relating to their employees. Contractor shall be solely responsible for its own acts and those of its agents and employees.

Section 3.2 Change Orders.

(a) Changes affecting the time of performance, unit pricing, or total contract price shall be set forth in a written Change Order that shall specify:

1. The work performed in connection with the change to be made;
2. The amount of the adjustment to the Payment Limit, if any, and the basis for compensation for the work ordered; which adjustment may be a negotiated lump sum amount, agreed unit price, or paid under Section 9-1.04 "Force Account" of the 2010 State of California Department of Transportation Standard Specifications; and
3. The amount of time to be adjusted in the schedule for performance, if any.

(b) A Change Order will become effective when signed by the Department Head, or his or her representative, notwithstanding that Contractor has not signed it. A Change Order will become effective without Contractor's signature, provided the Department Head or his or her representative so indicates by noting thereon "unilateral change order."

(c) All changes in any plans and specification approved by any authority with jurisdiction over the Project may also require addenda or change orders approved by that authority.

(d) Where the City requests, a performance bond rider covering the changed work must be executed and delivered to the City before proceeding with the changed work, or shortly in time thereafter.

(e) The Department Head or his or her representative has the authority to approve Change Orders with a cumulative dollar value of up to ten percent (10%) of the contract price.

Section 3.3 Claims By Contractor.

(a) **No Third-Party Claims.** Nothing contained in this Agreement shall create or justify any claim against the City by any person that Contractor may have employed or with whom Contractor may have contracted relative to the purchase of materials, supplies or equipment, or the furnishing or the performance of any work or services with respect to the construction of the Project, and Contractor shall include similar requirements in any contracts entered into for the construction of the Project.

(b) **Obligation to File Claims for Disputed Work.** Should it appear to the Contractor that the work to be performed or any of the matters relative to the Contract

Documents are not satisfactorily detailed or explained therein, or should any questions arise as to the meaning or intent of the Contract Documents, or should any dispute arise regarding the true value of any work performed, work omitted, extra work that the Contractor may be required to perform, time extensions, payment to the Contractor during performance of the work, construction of the Project, and/or compliance with procedures or standards set forth in the Contract Documents, or should Contractor otherwise seek extra time or compensation FOR ANY REASON WHATSOEVER, then Contractor shall first follow the procedures set forth in this Agreement, including but not limited to Section 3.2, "Change Orders." If a dispute remains, then Contractor shall give written notice to the City that expressly invokes this Section 3.3 and requests a determination of the issue. City shall decide the issue in writing within 15 days; City's decision shall be final and the limitations period for the filing of a claim shall commence upon the City's issuance of its decision. If Contractor disagrees with City's decision, or if Contractor contends that City failed to provide a timely decision, then Contractor's SOLE AND EXCLUSIVE REMEDY is to file a written claim setting forth Contractor's position as required herein.

(c) **Form and Contents of Claim.** The Claim shall be submitted to the City within thirty (30) days of receiving the City's written decision regarding the dispute, or the date the Contractor contends such decision was due, and in no event later than the date of final payment. Contractor's written claim must identify itself as a "Claim" under this Section 3.3 and must include the following: (1) a narrative of pertinent events; (2) citation to contract provisions; (3) theory of entitlement; (4) complete pricing of all cost impacts; (5) a time impact analysis of all time delays that shows actual time impact on the critical path; (6) documentation supporting items 1 – 5; and (7) verification under penalty of perjury of the claim's accuracy. The Claim shall be priced like a Change Order, and must be updated every thirty (30) days as to cost and entitlement if it remains a continuing Claim. Routine contract materials, for example, correspondence, RFI, Change Order requests, or payment requests shall not constitute a Claim. Contractor shall bear all costs incurred in preparation, submittal, and administration of a Claim.

(d) **Administration After Claim Submittal.**

1. City may render a final decision based solely on the materials submitted in support of the Claim or may in its sole discretion conduct an administrative hearing on the Claim, in which case Contractor shall appear, participate, answer inquiries, and present any further evidence or analysis requested by City. Should City take no action on the Claim within forty-five (45) days (if the Claim is for less than $50,000) or within sixty (60) days (if the Claim is for $50,000 or more) of submittal, it shall be deemed denied.

2. Notwithstanding and pending the resolution of any Claim or dispute, Contractor shall diligently perform the disputed work to final completion in accordance with the City's direction.

3. After their submittal, claims less than $375,000 shall also be subject to Section 20104 of the Local Agency Public Construction Act.

(e) **Compliance**

1. The provisions of this Section 3.3 constitute a non-judicial claim settlement procedure that, pursuant to California Government Code Section 930.2, shall

constitute a condition precedent to the submittal of a valid claim under the California Government Code. Any Government Code claims alleging disputed work must affirmatively indicate prior compliance with this Section 3.3. In accordance with Richmond Municipal Code Section 1.10.010(b), all Government Code claims must be presented no later than the 100th day after the earlier of (i) the date the City actively or passively denied the Claim, or (ii) substantial completion or termination of the contract.

2. **Failure to submit and administer Claims as required in Section 3.3 shall waive Contractor's right to compensation for any disputed work not included in a timely Claim. Disputes not raised in a timely protest and timely Claim submitted under this Section 3.3 may not be asserted in any subsequent Government Code claim, administrative hearing, or civil action.**

3. City shall not be deemed to waive any provision under this Section 3.3 if, at City's sole discretion, a Claim is administered in a manner not in accord with this Section 3.3. Waivers or modifications of this Section 3.3 may only be made by signed Change Order approved as to form by legal counsel for both City and Contractor. Oral or implied modifications shall be of no force or effect.

Section 3.4 Indemnification.

(a) To the fullest extent permissible by law, Contractor shall indemnify, defend, and hold harmless, and require its subcontractors to defend, indemnify and hold harmless, the City, its elected and appointed officials, and all of its employees, volunteers and agents (the "Indemnified Parties"), from all liability, penalties, costs, losses, damages, expenses, causes of action, claims or judgments, including attorney's fees and other defense costs (collectively, "Claims"), resulting from injury to or death sustained by any person (including Contractor's or any subcontractors' employees), or damage to property of any kind, or any other injury or damage whatsoever, which Claims arise out of or are in any way connected with the construction of the Project, regardless of Contractor's fault or negligence; provided, however, that Contractor's, and Contractor's subcontractors' indemnity obligations hereunder shall not apply to the extent any Claims are caused by the active negligence or willful act or omission of an Indemnified Party. The indemnification obligations of Contractor and its subcontractors shall extend to Claims asserted after termination of this Agreement for whatever reason.

(b) In Claims against any person or entity indemnified under Section 3.4(a) above by an employee of Contractor or its subcontractors, anyone directly or indirectly employed by any one of them or anyone for whose acts one of them may be liable, the indemnification obligation under Section 3.4(a) above shall not be limited by a limitation on amount or type of damages, compensation of benefits payable under workers' compensation acts, disability benefit acts or other employee benefit acts.

Section 3.5 Non-Liability of City Officials, Employees and Agents.

No member, official, employee or agent of the City shall be personally liable to Contractor in the event of any default or breach by the City or for any amount which may become due to Contractor or its successor or on any obligation under the terms of this Agreement.

Section 3.6 No Third Party Beneficiaries.

There shall be no third party beneficiaries to this Agreement.

Section 3.7 Conflict of Interest.

(a) Except for approved eligible administrative or personnel costs, no person described in Section 3.7(b) below who exercises or has exercised any functions or responsibilities with respect to the activities funded pursuant to this Agreement or who is in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during, or at any time after, such person's tenure. Contractor shall exercise due diligence to ensure that the prohibition in this Section 3.7(a) is followed.

(b) The conflict of interest provisions of Section 3.7(a) above apply to any person who is an employee, agent, consultant, officer, or elected or appointed official of the City of Richmond, and any immediate family member or dependent of such person.

Section 3.8 Notices, Demands and Communications.

If at any time after the execution of this Agreement it shall become necessary or convenient for one of the Parties hereto to serve any notice, demand or communication upon the other Party, such notice, demand or communication shall be in writing and shall be served personally or by depositing the same in the registered United States mail, return receipt requested, postage prepaid or delivered by express delivery service, return receipt requested and

(1) if intended for the City shall be addressed to:

City of Richmond
450 Civic Center Plaza
Richmond, California 94804
Attention: Yader Bermudez

With copy to:

City of Richmond
450 Civic Center Plaza
Richmond, CA 94804
Attention: City Attorney

(2) if intended for Contractor shall be addressed to:

NEMA Construction
555 Pierce Street, #1005
Albany, CA 94706
Attn: Ali Farahani

Any notice, demand or communication shall be deemed given, received, made or communicated on the date personal delivery is affected or, if mailed in the manner herein specified, on the delivery date or date delivery is refused by the addressee, as shown on the return receipt. Any Party may change its address at any time by giving written notice of such change at least ten (10) days prior to the date such change is desired to be effective.

Section 3.9 Applicable Law.

This Agreement shall be governed by California law. This Agreement is made in Contra Costa County, California, and any action relating to this Agreement shall be instituted and prosecuted in the courts of Contra Costa County, California.

Section 3.10 Parties Bound.

Except as otherwise limited herein, the provisions of this Agreement shall be binding upon and inure to the benefit of the Parties and their heirs, executors, administrators, legal representatives, successors, and assigns. Any reference in this Agreement to a specifically named Party shall be deemed to apply to any successor, heir, administrator, executor, successor, or assign of such Party who has acquired an interest in compliance with the terms of this Agreement or under law. This Agreement shall be binding upon and inure to the benefit of the heirs, administrators, executors, successors in interest, and assigns of each of the Parties.

Section 3.11 Severability.

If any term of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions shall continue in full force and effect unless the rights and obligations of the Parties have been materially altered or abridged by such invalidation, voiding or unenforceability.

Section 3.12 Force Majeure.

Performance by either Party shall not be deemed to be in default when delays in performance are due to war, insurrection, strikes, lock-outs, riots, floods, earthquakes, fires, quarantine restrictions, freight embargoes, or court order, or any other similar causes (other than lack of funds of Contractor) beyond the control or without the fault of the Party claiming an extension of time to perform ("Force-Majeure Delays"). In no event shall any extension of any period of time be deemed to have occurred unless the Party claiming the Force-Majeure Delay gives written notice to the other Party within ten (10) days following the commencement of any such delay, setting forth the facts giving rise to the Force-Majeure Delay request, the expected duration of the delay, and the steps the Party intends to take to minimize the Delay. During the Force-Majeure Delay, the Party whose performance is delayed shall keep the other Party

reasonably informed of the situation and the steps taken by such Party to continue performance and minimize delay. After the Force-Majeure Delay is over, the Parties shall in good faith jointly prepare an accurate written record of the circumstances giving rise to delay, specifying the commencement date and duration of the Force-Majeure Delay and the cause thereof, which record shall be signed by each Party to confirm agreement with respect to its content. In no event shall the City be required to agree to cumulative Force-Majeure Delays in excess of sixty (60) days unless the City is the cause of such delay. In the event that the parties cannot agree upon a record of the circumstances giving rise to the Force-Majeure Delay, the procedures set forth in Section 3.3 of this Agreement shall apply.

Section 3.13 Waivers.

Any waiver by the City of any obligation or condition in this Agreement must be in writing. No waiver will be implied from any delay or failure by the City to take action on any breach or default of Contractor or to pursue any remedy allowed under this Agreement or applicable law. Any extension of time granted to Contractor to perform any obligation under this Agreement shall not operate as a waiver or release from any of its obligations under this Agreement. Consent by the City to any act or omission by Contractor shall not be construed to be consent to any other or subsequent act or omission or to waive the requirement for the City's written consent to future waivers.

Section 3.14 Title of Parts and Sections.

Any titles of the sections or subsections of this Agreement are inserted for convenience of reference only and shall be disregarded in interpreting any part of the Agreement's provisions.

Section 3.15 Entire Understanding of the Parties.

The Contract Documents – along with any written change orders and dispute determinations that may be issued by the City in the course of performance – shall constitute the entire understanding and agreement of the Parties with respect to construction of the Project. The Contract Documents, written change orders (if any), and dispute determinations (if any) are deemed complementary and should be interpreted together.

Section 3.16 Multiple Originals; Counterpart.

This Agreement may be executed in multiple originals, each of which is deemed to be an original, and may be signed in counterparts. A facsimile or electronic signature to this Agreement shall be as valid as an ink signed original.

WHEREAS, this Agreement has been entered into by the undersigned as of the date first above written.

Reviewed By:

City Attorney

ATTEST:

City Clerk

CITY:

CITY OF RICHMOND, a municipal corporation and charter city

By:

Name:

Its: Mayor

CONTRACTOR: NEMA Construction

XXXX

By:

Name: Ali Tarakemi

Its: owner

Exhibit A
Proposal

CITY OF RICHMOND
PUBLIC WORKS DEPARTMENT

BID PROPOSAL

The undersigned declares that he has carefully examined the location of the proposed work of:

RICHMOND PARKWAY AND CASTRO STREET SIGNAL INTERCONNECT CABLE REPLACEMENT

The work to be done and referred to herein is in the City of Richmond, Contra Costa County, State of California. Construction to be in accordance with the Special Provisions including the payment of not less than the minimum wage rates set forth herein and the Contract annexed hereto and also in accordance with the Standard Specifications dated 2010, and the current "Equipment Rental Rates and General Prevailing Wage Rates" on file in the office of the City Clerk of the City of Richmond.

To the City of Richmond Department of Public Services:

The undersigned, as Bidder, declares that the only persons or parties interested in this Proposal as principals are those named herein; that this Proposal is made without collusion with any other person, firm or corporation; that he has carefully examined the location of the proposed work; and the Plans therein referred to; and he proposes, and agrees if this Proposal is accepted, that he will contract with the City of Richmond to provide all necessary machinery, tools, apparatus and other means of construction, and to do all the work and furnish all the materials specified in the Contract, in the manner and time therein prescribed and according to the requirements of the Engineer as therein set forth, and that he will take in full payment therefor the following item prices to wit:

#F-2.

BID PROPOSAL SCHEDULE

Item No.	Spec Sec No.[1)]	Item Description	Unit	Estimated Quantity	Unit Price	Total Price
1		Furnish and Install Caltrans Traffic Rated Box No. 5 with Concrete Apron	EA	200	$ 950.00	$ 190,000.
2		Signal Interconnect Cable PE-22-AL-12/19	LF	31,000	$ 3.00	$ 93,000.
3		Traffic Control	LS	1	$ 9,000	$ 9,000
4		Final System Testing	LS	1	$ 5,000	$ 5,000
5					$	$
6					$	$
7					$	$
8					$	$
9					$	$
TOTAL BASE BID:			$			297,000.00

Notes:

1) Specification references are provided to assist the bidder. Other bid sections may also apply.

ALTERNATE BID

Item No.	Spec Sec No.[1)]	Item Description	Unit	Estimated Quantity	Unit Price	Total Price
1		Furnish and Install Caltrans Traffic Rated Box No. 5 with Concrete Apron	EA	75	$ 950.00	$ 71,250.00
2		Signal Interconnect Cable PE-22-AL-12/19	LF	10,000	$ 3.00	$ 30,000.
3		Traffic Control	LS	1	$ 5,000.00	$ 5,000.00
4		Final System Testing	LS	1	$ 3,000.	$ 3,000
5					$	$
6					$	$
7					$	$
8					$	$
9					$	$
TOTAL ALTERNATE BID:			$			109,250

Bids are required for the entire work. The amount of the bid for comparison purposes shall be the **TOTAL BASE BID**. The total sum of the Item Total Price column **SHALL** match the

TOTAL BASE BID, otherwise, the bid will be considered a NON-RESPONSIVE. The contract will be awarded to the lowest responsive, responsible bidder based on the Total Bid.

The bidder shall set forth each item of work, in clearly legible figures, an item price and a total for the item in the respective spaces provided for this purpose. In the case of unit basis items, the amount set forth under the "Total" column shall be the extension of the item price bid on the basis of the estimated quantity for the item.

In case of discrepancy between the item price and the total set forth for the item, the item price shall prevail, provided, however, if the amount set forth as an item price is ambiguous, unintelligible or uncertain for any cause, or is omitted, or in the case of unit basis items, is the same amount as the entry in the "Total" column, then the amount set forth in the "Total" column for the item shall prevail in accordance with the following:

1. As to lump sum items, the amount set forth in the "Total" column shall be the item price.

2. As to unit basis items, the amount set forth in the "Total" column shall be divided by the estimated quantity for the item and the price thus obtained shall be the item price.

Bidder understands that the Owner reserves the right to reject any or all bids and to waive any informality in the bidding.

The Bidder agrees that this Bid shall be good and may not be withdrawn for a period of 60 calendar days after the scheduled closing time for receiving bids.

It is hereby agreed that the undersigned, as Bidder, shall furnish a Faithful Performance Bond and a Payment Bond, each in an amount equal to one hundred percent (100%) of the total amount of this proposal, to the City of Richmond and at no expense to said City, executed by a responsible surety acceptable to said City, in the event that this Proposal is accepted by said City of Richmond.

Bidder acknowledges receipt of the following addendum(s):

Addendum	Date	Initial
#1	oct. 28, 2014	A.F
#2	oct 30, 2014	A.F
#3	NOV 10, 2014	A.F

#F-2.

The undersigned is licensed in accordance with the Act providing for registration of contractors, License No. 731870, Expiration Date 1-31-2015

Name of Bidder: NEMA Construction

Signature of Bidder: [signature]

Name and Title: Ali Fanahani, owner

Business Address: 555 Pierce Street #1005
Albany, Ca 94706

Telephone Number: 510-525-2398

Fax Number: 510-525-2304

Email: nema@pacbell.com

(If an individual, so state. If a partnership, state the name of the partnership and supply information to the satisfaction of the Director covering the authority of the individual or individuals who have signed the Proposal to sign on behalf of the partnership. If a firm or corporation, state the legal name of the firm or corporation and supply information to the satisfaction of the Director concerning the authority of the individual or individuals who have signed the Proposal to sign on behalf of the firm or corporation.)

RICHMOND PARKWAY INTERCONNECT WIRE AND PULL BOXES REPLACEMENT

CITY OF RICHMOND
DEPARTMENT OF PUBLIC WORKS

BID FORM

Submit two copies of this BID FORM at or before the time and date and location referenced in the Invitation to Bid for the Project noted below.

Additional copies of this Bid Form are available from the City of Richmond upon request.

1.1 PROJECT

A. In compliance with proposed Contract Documents for construction of:

RICHMOND PARKWAY AND CASTRO STREET INTERCONNECT WIRE AND PULL BOXES REPLACEMENT

B. Including Addenda Numbers #1 #2 #3 ____ ____ ____ ____ ____

C. The undersigned has become thoroughly familiar with the terms and conditions of proposed Contract Documents and with local codes and conditions affecting performance and costs of Work at place where Work is to be completed.

D. The undersigned has fully inspected the site in all particulars.

E. The undersigned hereby proposes and agrees to fully perform Work as follows.

1. The undersigned agrees to perform Work within time agreed upon.

2. The undersigned agrees to perform Work in strict accordance with proposed Contract Documents, including furnishing any and all labor and materials.

3. The undersigned agrees to do all work required to construct and complete said Work in accordance with Contract Documents.

1.2 BID SCHEDULE

A. Base Bid: All labor, materials, services, and equipment necessary for completion of the Work along the Richmond Parkway from Ohio Avenue to San Pablo Avenue, except for items described as "Alternates".

Two hundred ninety seven Thousand Dollars ($ 297,000.00)

1.3 ALTERNATE 1:

A. All labor, materials, services, and equipment necessary for completion of the Work along Castro Street.

one hundred nine thousand Dollars ($ 109,250)
Two hundred fifty.

1.4 BIDDER STATEMENTS

A. The Contractor shall include Bid Form Bidder Statement of Subcontractors, completed in it's entirety with the Bid Form.

B. The Contractor shall include Bid Form Bidders Statement of Major Suppliers, completed in it's entirety with the Bid Form.

C. The Contractor shall complete and include the Non-collusion Affidavit with the Bid Form.

D. The Contractor shall complete and include the Business Verification Form.

E. The Contractor shall complete and include the Proof of Solicitation – Good Faith Effort Requirement Form.

1.5 AWARD OF CONTRACT

A. It is understood that Owner reserves right to reject this bid but that it shall remain open and not be withdrawn for a period of sixty calendar days from date prescribed for its opening.

B. Undersigned agrees to execute and deliver Contract to Owner in accordance with this bid if written acceptance is mailed or delivered before bid is withdrawn by written notification to Owner.

1.6 TIME OF COMPLETION

A. The undersigned agrees to commence work under this Contract on or before a date to be specified in a written notice from Owner and to complete project within the following limits:

1. 90 consecutive calendar days after specified date.
(Above to be filled in by Bidder.)

1.7 IDENTIFICATION

A. Notice of acceptance, or request for additional information, may be addressed to the undersigned at address set forth below.

B. The names of all persons interested in the foregoing bid as principals are:

Ali Farahani

1. Important Notice: If a corporation, give legal name of corporation, state where incorporated, and names of president and secretary; if a partnership, give name of firm and names of all individual co-partners composing the firm; if an individual, give first and last names in full.

C. License: Contractor is licensed in accordance with an act for registration of contractors with license number:

B-C10 731870

D. Business Address:

555 Pierce street #1005
Albany, Ca 94706

E. Telephone Number: 510-525-2398

F. Date of Bid: 11-14-14

G. Signature of person(s) with legal authority to sign contracts:

1.8 BID SECURITY

A. Bid security as described in Document 00100 - Instructions for Bidders is attached for an amount equal to not less than ten percent (10%) of total base bid.

END OF BID FORM

§ 66499.1. Faithful performance bond; form, CA GOVT § 66499.1

PREMIUM IS FOR THE CONTRACT TERM AND IS SUBJECT TO ADJUSTMENT BASED ON FINAL CONTRACT PRICE

Bond No. CAC712780
Premium: $5,500.00
Executed in 3 originals

PERFORMANCE BOND

Whereas, The City Council of the City of Richmond, State of California, and NEMA Construction (hereinafter designated as "principal") have entered into an agreement whereby principal agrees to install and complete certain designated public improvements, which said agreement, dated March 20, 2015, and identified as project Richmond*, is hereby referred to and made a part hereof; and

*Parkway Interconnect Wire and Pull Box Replacement

Whereas, Said principal is required under the terms of said agreement to furnish a bond for the faithful performance of said agreement.

Now, therefore, we, the principal and Merchants** (**Bonding Company (Mutual)), as surety, are held and firmly bound unto the City of Richmond (hereinafter called "City"), in the penal sum of three*** dollars ($300,000.00) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents. ***hundred thousand & 00/100

The condition of this obligation is such that if the above bounded principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless City, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As a part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

In witness whereof, this instrument has been duly executed by the principal and surety above named, on March 23, 2015.

NEMA Construction
By: _____
Title: _____

Merchants Bonding Company (Mutual)
By: _____
Title: Stephanie Hoang, Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT — CIVIL CODE 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Orange)

On 3/23/15 before me, V. Copeland, Notary Public,

personally appeared Stephanie Hoang
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(s) acted, executed the instrument.

V. COPELAND
Commission # 2046542
Notary Public - California
Orange County
My Comm. Expires Oct 24, 2017

Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: V. Copeland
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could present fraudulent and reattachment of this form to another document.

Description of Attached Document

Type or Title of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Stephanie Hoang

- ☐ Individual
- ☐ Corporate Officer – Title(s): _____
- ☐ Partner: ☐ Limited ☐ General
- ☒ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer – Title(s): _____
- ☐ Partner: ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

Rev. 1-15

#F-2.

MERCHANTS BONDING COMPANY™

POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations duly organized under the laws of the State of Iowa (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint, individually,

Eric Lowey; Mark Richardson; Shawn Blume; Stephanie Hoang; Teresa I Jackson

of Costa Mesa and State of California their true and lawful Attorney-in-Fact, with full power and authority hereby conferred in their name, place and stead, to sign, execute, acknowledge and deliver in their behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

TEN MILLION ($10,000,000.00) DOLLARS

and to bind the Companies thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the Companies, and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following By-Laws adopted by the Board of Directors of the Merchants Bonding Company (Mutual) on April 23, 2011 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 24, 2011.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 23rd day of September, 2014 .

MERCHANTS NATIONAL BONDING, INC. -o- 2003

MERCHANTS BONDING COMPANY (MUTUAL) INCORPORATED -o- 1933

MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By Larry Taylor

President

STATE OF IOWA
COUNTY OF POLK ss.

On this 23rd day of September , 2014 , before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument is the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.

NOTARIAL SEAL IOWA

WENDY WOODY
Commission Number 784654
My Commission Expires
June 20, 2017

Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 23rd day of March , 2015 .

MERCHANTS NATIONAL BONDING, INC. -o- 2003

MERCHANTS BONDING COMPANY (MUTUAL) INCORPORATED -o- 1933

William Warner Jr.

Secretary

§ 66499.2. Bond for security of laborers and material suppliers; form, CA GOVT § 66499.2

Bond No. CAC712780
Premium listed on performance bond
Executed in 3 originals

PAYMENT BOND

NEMA
Whereas, The City Council of the City of Richmond, State of California, and Construction (hereinafter designated as "the principal") have entered into an agreement whereby the principal agrees to install and complete certain designated public improvements, which agreement, dated March 20, 2015, and identified as project Richmond*, is hereby referred to and made a part hereof; and
*Parkway Interconnect Wire and Pull Box Replacement

Whereas, Under the terms of the agreement, the principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Richmond to secure the claims to which reference is made in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code.

**Bonding Company (Mutual)
Now, therefore, the principal and Merchants**, as corporate surety, are held firmly bound unto the City of Richmond (hereinafter called "City") and all contractors, subcontractors, laborers, material suppliers, and other persons employed in the performance of the agreement and referred to in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code in the sum of three*** dollars ($300,000.00), for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.
***hundred thousand & 00/100

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

In witness whereof, this instrument has been duly executed by the principal and surety above named, on March 23, 2015.

NEMA Construction
By: _____
Title: _____

Merchants Bonding Company (Mutual)
By: _____
Title: Stephanie Hoang, Attorney-in-Fact

#F-2.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT — CIVIL CODE 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Orange)

On 3/23/15 before me, V. Copeland, Notary Public,

personally appeared Stephanie Hoang
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

V. COPELAND
Commission # 2046542
Notary Public - California
Orange County
My Comm. Expires Oct 24, 2017

Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: V. Copeland
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could present fraudulent and reattachment of this form to another document.

Description of Attached Document

Type or Title of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Stephanie Hoang

- ☐ Individual
- ☐ Corporate Officer – Title(s): _____
- ☐ Partner: ☐ Limited ☐ General
- ☒ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer – Title(s): _____
- ☐ Partner: ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

Rev. 1-15

MERCHANTS BONDING COMPANY™

POWER OF ATTORNEY

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Eric Lowey; Mark Richardson; Shawn Blume; Stephanie Hoang; Teresa I Jackson

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TEN MILLION ($10,000,000.00) DOLLARS

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"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 23rd day of September, 2014.

MERCHANTS NATIONAL BONDING, INC. INCORPORATED -o- 2003 MERCHANTS BONDING COMPANY (MUTUAL) INCORPORATED -o- 1933

MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By Larry Taylor
President

STATE OF IOWA
COUNTY OF POLK ss.

On this 23rd day of September, 2014, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument is the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.

NOTARIAL SEAL IOWA
WENDY WOODY
Commission Number 784654
My Commission Expires
June 20, 2017

Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 23rd day of March, 2015.

MERCHANTS NATIONAL BONDING, INC. INCORPORATED -o- 2003 MERCHANTS BONDING COMPANY (MUTUAL) INCORPORATED -o- 1933

William Warner Jr.
Secretary

#F-2.

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 1/5/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Susan Haro
Nickerson Insurance Services, Inc. LIC #0491589 2106 West Lomita Blvd. Lomita CA 90717	PHONE (A/C, No, Ext): (310) 326-6333 FAX (A/C, No): (310) 326-5416 E-MAIL ADDRESS: susan@nickersonins.com

INSURED	INSURER(S) AFFORDING COVERAGE	NAIC #
Ali Farahani DBA: Nema Construction 555 Pierce St #1005 Albany CA 94706	INSURER A: Benchmark Insurance Co	41394
	INSURER B: California Auto Insurance Co	38342
	INSURER C: State Compensation Ins. Fund	35076
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 14-15 AUTO/GL 15-16 WC **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC	X		BIC5010076	4/22/2014	4/22/2015	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 50,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
B	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS X SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS			BA040000007423	7/3/2014	7/3/2015	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) Hired/borrowed	$ 1,000,000 $ $ $ $ 1,000,000
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE AGGREGATE	$ $
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		908512015	1/1/2015	1/1/2016	X WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

RE: Main Library ADA Restroom Improvements project.

Public Works Operations and Maintenance is hereby included as an Additional Insured on the liability with respects to claims arising from the Insureds covered operations per Primary Blanket Additional Insured Endorsement form G0103 (ed 09/24/09). 30 days notice of cancellation subject to 10 days notice for non payment of premium.

CERTIFICATE HOLDER

Public Works Operations
and Maintenance
Attn: Noni Thomas, Exec Sec II
6-13th Street
Richmond, CA 94801

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Sarah Kelly/SH

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INS025 (2010/05) 01 The ACORD name and logo are registered marks of ACORD

ENDORSEMENT

ENDT. NO.	1

G0103
(ed 09/24/09)

PRIMARY BLANKET ADDITIONAL INSURED

IT IS AGREED COVERAGE IS PROVIDED TO THE **ADDITIONAL INSURED(S)** AS FOLLOWS:

1. SECTION II OF THE POLICY (WHO IS AN INSURED) IS AMENDED TO INCLUDE ANY PERSON OR ORGANIZATION THAT THE **NAMED INSURED** HAS AGREED IN AN **INSURED CONTRACT** TO NAME AS AN ADDITIONAL **INSURED** PROVIDED THE **BODILY INJURY** OR **PROPERTY DAMAGE** OCCURS SUBSEQUENT TO THE EXECUTION OF THE **INSURED CONTRACT** AND THE **BODILY INJURY** OR **PROPERTY DAMAGE** ARISES FROM **YOUR WORK** PERFORMED DURING THE POLICY TERM.

2. PARAGRAPH 6.D. IS HEREBY ADDED TO SECTION IV, COMMERCIAL GENERAL LIABILITY CONDITIONS, OF THE POLICY, AS FOLLOWS:

   D. NOTWITHSTANDING ANYTHING TO THE CONTRARY IN PARAGRAPHS 6.A., 6.B., OR 6.C. HEREOF, THE INDEMNITY PROVIDED BY THIS INSURANCE IS PRIMARY AND NON-CONTRIBUTORY FOR ANY PERSON OR ORGANIZATION THAT IS AN ADDITIONAL **INSURED** UNDER THIS POLICY AND THAT YOU HAVE AGREED, IN AN **INSURED CONTRACT**, TO PROVIDE PRIMARY ADDITIONAL INSURED COVERAGE.

3 THE APPLICABLE LIMIT OF THE COMPANY'S LIABILITY SHALL NOT BE INCREASED BY THE INCLUSION OF ANY NUMBER OF ADDITIONAL **INSUREDS**.

4 OTHER THAN AS EXPRESSLY MODIFIED HEREIN, COVERAGE FOR THE ADDITIONAL **INSURED** IS GOVERNED BY THE TERMS AND CONDITIONS OF THIS POLICY, INCLUDING THE INSURING AGREEMENTS.

5 THE COVERAGE PROVIDED FOR THE ADDITIONAL **INSURED** IS ONLY TO THE EXTENT OF DAMAGES FROM **BODILY INJURY** OR **PROPERTY DAMAGE** ARISING OUT OF THE NEGLIGENCE OR STRICT LIABILITY OF THE **NAMED INSURED**. NO COVERAGE IS PROVIDED FOR **BODILY INJURY** OR **PROPERTY DAMAGE** ARISING OUT OF ACTS, ERRORS OR OMISSIONS OF THE ADDITIONAL **INSURED**.

6. NO COVERAGE IS PROVIDED TO AN ADDITIONAL **INSURED** FOR DAMAGES BECAUSE OF **BODILY INJURY** TO AN EMPLOYEE OF THE **NAMED INSURED**, WHETHER SUIT IS BROUGHT OR CLAIM IS MADE BY THE EMPLOYEE OR THE PARENT, SPOUSE, CHILD OR SIBLING OF SUCH EMPLOYEE, OR ANY ENTITY SEEKING DAMAGES BECAUSE OF INJURY TO SUCH EMPLOYEE.

ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.

Policy Number	Insured	Effective
BIC5010076	Ali Farahani DBA Nema Construction	4/22/14

BENCHMARK INSURANCE COMPANY

Patricia Schaffman

Countersignature of Authorized Representative

© 2009 WESTCAP

Richmond Parkway Interconnect Wire and Pull Box Replacement, bidding on November 14, 2014 2:00 PM (Pacific) Printed 01/22/2015

Bid Detail

Bid Information

Project Title	Richmond Parkway Interconnect Wire and Pull Box Replacement
Invitation No.	
Bid Posting Date	October 9, 2014 12:32 PM (Pacific)
Project Stage	Closed
Bid Due Date	November 14, 2014 2:00 PM (Pacific)
Response Format	Paper only
Link to Project on Public Site	http://www.planetbids.com/portal/portal.cfm?CompanyID=14590&BidID=15367
Project Type	Bid
Response Types	Line Item
Type of Award	Lump Sum
Categories	21000 - Concrete And Metal Products, Culverts, Pilings, Septic Tanks, Accessories And Supplies 21085 - Vents, Foundation, Concrete 28000 - Electrical Cables And Wires (Not Electronic) 90658 - Lighting (Interior, Exterior) - Architectural Services 91200 - Construction Services, General (Incl. Maintenance And Repair Services) 91300 - Construction Services, Heavy (Incl. Maintenance And Repair Services) 91350 - Construction, Street (Major And Residential)(Includes Reconstruction) 91394 - Paving/Resurfacing, Alley And Parking Lot 91396 - Paving/Resurfacing, Street (Major And Residential) 91400 - Construction Services, Trade (New Construction) 91430 - Concrete 91438 - Electrical 96800 - Public Works And Related Services 96882 - Traffic Signal Installation 96883 - Traffic Signal Maintenance And Repair
License Requirements	
Department	Public Works Maintenance
Address	450 Civic Center Plaza, Richmond, California
County	Contra Costa
Bid Valid	
Liquidated Damages	$1,000 per day
Engineer's Estimate	$0.00
Estimated Bid Value	$300,000
Start/Delivery Date	
Project Duration	90 Days
Cooperative Bid	No
Piggy-backable	No
eBid Notes	
Preferences	
Restriction Type	None
Restricted To	

Bid Bond Information

Bid	10.0%
Performance	100.0%
Payment	100.0%

Pre-Bid Meeting Information

Pre-Bid Meeting	Yes - Mandatory
Pre-Bid Meeting Date	October 24, 2014 1:00 PM (Pacific)
Pre-Bid Meeting Loc	440 Civic Center Plaza, City Council Chamber, Richmond, California

Online Q&A

Online Q&A	No

Bid Detail

Contact Information

Contact Info Yader Bermudez - 510-231-3008
Yader_Bermudez@ci.richmond.ca.us

Bids to

Owner's Agent

Description

Scope of Services WORK DESCRIPTION, Removal and installation of 275 (200 Base Bid + 75 Alternate) new traffic rated boxes and construction of reinforced concrete pads around the boxes in accordance to City Standards, removal of asphalt concrete and concrete sidewalk as required, and the complete re-wire of the traffic signal interconnect system along the Richmond Parkway (Base Bid) from San Pablo Avenue to I-580 and Castro Street (Alternate Bid). (See Plans Attached), and for all other work, items or details not mentioned above that are required by the Drawings, Standard Specifications, or these Special Provisions.

Other Details QUESTIONS: All questions regarding bid documents, construction plans and specifications must be submitted via e-mail to Yader_Bermudez@ci.richmond.ca.us no later than 5:00 p.m., on November 7, 2014.

Notes For assistance in downloading the Bid, please contact Ofelia Alvarez at Ofelia_alvarez@ci.richmond.ca.us

Local Programs & Policies

Special Notices

Downloadable Files

File Title	File Name	File Size	On Server	Uploaded Date	Visible
Local Employment Program Ordinance	Exhibit2-LocalEmploymentProgramOrdinance2010.pdf	56.5 kb	On Server	10/09/2014	Yes
Ban the Box Ordinance	Ban the Box 2_65.pdf	72.6 kb	On Server	10/09/2014	Yes
Business Opportunity Ordinance 2.5	Business Opportunity Ordinance 2_50.pdf	60.9 kb	On Server	10/09/2014	Yes
General Provisions	General Provisions for Parkway Interconnect 061614.pdf	319.3 kb	On Server	10/09/2014	No
Parkway 1 - Plans	Parkway 1.pdf	3.1 mb	On Server	10/09/2014	No
Parkway 2 - Plans	Parkway 2.pdf	1.1 mb	On Server	10/09/2014	No
Parkway 3 - Plans	Parkway 3.pdf	842.9 kb	On Server	10/09/2014	No
Parkway 4 - Plans	Parkway 4.pdf	5.1 mb	On Server	10/09/2014	No
Bid Proposal	Bid Proposal Schedule Inter 101314.doc	112.1 kb	On Server	10/09/2014	No

Download File Fee $0.00

Hard Copy Plans

Title/Description	Receive From	Plan Fee	Mailing Fee	Refund

Line Items

Type	Item Code	UOM	Qty	Unit Price	Ref
	Section 1				
1	Pull boxes				
		ea	1		

Prospective Bidders

Vendor	Contact	Vendor Type	Pre-Bid	Classification	Status
BidClerk 28 N Clark Ste 450 Chicago, IL 60602 United States	**Contact:** Jim Rittenhouse **Phone:** 877-737-6482 **Fax:** 312-275-7197 **Email:** govbids@bidclerk.com			Other	Non-Bidder, receive communications
Cal Electro, Inc. 3710 Electro Way Redding, CA 96002 United States	**Contact:** CLINT MEISSNER **Phone:** 530-223-5937 **Fax:** 530-221-7038 **Email:** Terri@calelectroinc.com	OSB		Prime	Bidder
Cal Signal Corp 890 Cowan Suite J Burlingame, CA 94010 United States	**Contact:** Tony Mori **Phone:** 650-343-6100 **Fax:** 650-343-6126 **Email:** tony@calsignalcorp.com	DBE		Other	Bidder
CF Contracting 96 Forrest Ave Fairfax, CA 94930 United States	**Contact:** **Phone:** 415-721-7160 **ext.** 105 **Fax:** 415-296-6437 **Email:** cfcontracting@gmail.com	OSB,MIC		Prime	Bidder
Columbia Electric, Inc. 1980 Davis Street San Leandro, CA 94577 United States	**Contact:** Nick Scruggs **Phone:** 510-430-9505 **Fax:** 510-430-1860 **Email:** jeff@columbia-elec.com			Prime	Bidder
Construction Bidboard, Inc 11622 El Camino Real Suite 100 San Diego, CA 92130 United States	**Contact:** Nathaniel Malerk **Phone:** 800-479-5314 **Fax:** **Email:** planroom@ebidboard.com			Other	Non-Bidder, receive communications
Contra Costa Builders Exchange 2440 Stanwell Drive Concord, CA 94520 United States	**Contact:** April Hamilton **Phone:** 925-685-8630 **Fax:** 925-685-3424 **Email:** aprilh@ccbx.com			Other	Non-Bidder, receive communications
eRepublic 100 Blue Ravine Road Folsom, CA 95630 United States	**Contact:** **Phone:** 916-932-1300 **Fax:** **Email:** nzeffaro@erepublic.com			Other	Bidder
JASZ co 1746 so. orange grove ave LOS ANGELES, CA 90019 United States	**Contact:** J.D. SMITH **Phone:** 323-857-1727 **Fax:** 323-857-1972 **Email:** BSJ1746@sbcglobal.net	WBE		Prime	Bidder
jmv 1241 homestad walnut creek, CA 94598 United States	**Contact:** joe vak **Phone:** 925-952-4159 **Fax:** **Email:** joe_vakili@yahoo.com			Other	Bidder
Larios and Sons 792 Turquoise Drive Hercules, CA 94547 United States	**Contact:** Business **Phone:** 510-799-5240 **Fax:** 510-799-1960 **Email:** luislarios51@hotmail.com	DBE		Subcontractor	Bidder
McGraw-Hill Construction Dodge 4300 Beltwway Place Suite 180 Arlington, TX 76018 United States	**Contact:** GERRY MCCARTHY **Phone:** 626-531-6818 **Fax:** 626-226-1623 **Email:** dodge_reocwe@mhfi.com			Other	Non-Bidder, receive communications
nema construction 555 pierce st #1005 albany, CA 94706 United States	**Contact:** ali farahani **Phone:** 510-525-2398 **Fax:** 510-525-2304 **Email:** nema@post.com			Prime	Bidder
NET ELECTRIC, INC 1160 Brickyard Cove Road Suite 200 Richmond, CA 94801 United States	**Contact:** NATHAN TYLER **Phone:** 866-334-2400 **Fax:** 855-300-0127 **Email:** info@netelectric.biz	OSB,DBE, MBE		Other	Bidder
Onvia 509 Olive Way, Suite 400 Seattle, WA 98101 United States	**Contact:** **Phone:** 206-373-9500 **Fax:** **Email:** sourcemgmt@onvia.net			Subcontractor	Bidder

Prospective Bidders

Placer County Builders Exchange 231 Cherry Ave., Ste.101 Auburn, CA 95603 United States	**Contact:** Chae Gale **Phone:** 530-889-3953 **Fax:** 530-889-3956 **Email:** planroom@placerbx.com		Other	Bidder
Prime Vendor Inc. 4622 Cedar Ave. Bldg 5, Suite #123 Wilmington, NC 28403 United States	**Contact:** Bid Clerk **Phone:** 800-746-9554 **Fax:** 800-746-8307 **Email:** bids19@prime-vendor.com		Subcontractor	Bidder
Ray's Electric 411 Pendleton Way Oakland, CA 94621 United States	**Contact:** Manny Hernandez **Phone:** 510-577-7700 **Fax:** 510-577-7706 **Email:** manny@rayselectric.net	OSB	Prime	Bidder
Sacramento Regional Builders Exchange 1331 T Street Sacramento, CA 95811 United States	**Contact:** Yelena Miroshnichenko **Phone:** 916-442-8991 **Fax:** 916-446-3117 **Email:** yelenam@sacregionbx.com		Other	Bidder
st. francis electric inc. 975 carden st San Leandro, CA 94577 United States	**Contact:** Loren Johnson **Phone:** 510-639-0639 **Fax:** 510-639-4655 **Email:** estimating@sfe-inc.com		Prime	Bidder
steiny and company inc. 27 sheridan street vallejo, CA 94590 United States	**Contact:** TRICIA KELLAS **Phone:** 707-552-6900 **Fax:** 707-552-7705 **Email:** tbanuelos@steinyco.com		Prime	Bidder
Steiny and Company, Inc. P.O. Box 3008 27 Sheridan Street Vallejo, CA 94590 United States	**Contact:** Tricia Kellas **Phone:** 707-552-6900 **Fax:** 707-552-7705 **Email:** tkellas@steinyco.com		Prime	Bidder
Tennyson Electric, Inc 7275 National Dr, SteA Livermore, CA 94550 United States	**Contact:** Terri Gilbert **Phone:** 925-606-1038 **Fax:** 925-606-7655 **Email:** terri@tennysonelec.com		Subcontractor	Bidder
Test Vendor-Richmond 1401 Marina Way South Richmond, CA 94804 United States	**Contact:** xx **Phone:** 510-620-6699 **Fax:** 510-620-5599 **Email:** ofelia_alvarez@ci.richmond.ca.us		Other	Bidder
W Bradley Electric, Inc 90 Hill Road Novato, CA 94945 United States	**Contact:** Ann Fowler **Phone:** 415-898-1400 **Fax:** 415-493-2559 **Email:** afowler@wbeinc.com		Prime	Bidder
Wells Fargo Insurance Services USA, Inc. 1039A N. McDowell Blvd Petaluma, CA 94954 United States	**Contact:** Stacy Clinton **Phone:** 707-773-1849 **Fax:** **Email:** stacy.clinton@wellsfargo.com		Other	Non-Bidder, no communications
Valley Builders Exchange 1118 Kansas Avenue Modesto, CA 95351 United States	**Contact:** Angeica Baca **Phone:** 209-522-9031 **Fax:** 209-522-0616 **Email:** abaca@valleybx.com		Other	Bidder
Builders Exchange of Santa Clara 400 Reed Street Santa Clara, CA 95050 United States	**Contact:** Kanani **Phone:** 408-727-4000 **Fax:** 408-727-2779 **Email:** plans@bxscco.com		Other	Bidder
Andrew M Jordan Inc 712 Sansome Street San Francisco, CA 94111-1704 United States	**Contact:** Carole Gibb **Phone:** 415-362-2266 **Fax:** 415-362-2244 **Email:** carole@a-bconstruction.net		Subcontractor	Bidder
Builders Exchange Alameda Co 3055 Alvarado Street San Leandro, CA 94577 United States	**Contact:** Richard Owen **Phone:** 510-483-8880 **Fax:** **Email:** richard@beac.com		Other	Bidder

Prospective Bidders

Malachi Paving & Grading Inc. P.O. Box 2838 Richmond, CA 94804 United States	**Contact:** Trisha Riley **Phone:** 510-652-5496 **Fax:** 510-652-5498 **Email:** malachipaving@yahoo.com		Prime	Bidder
iSqFt 4500 Lake Forest Dr St 502 Cincinnati, OH 45242 United States	**Contact:** Michael Huston **Phone:** 800-364-2059 **ext.** 8193 **Fax:** 866-570-8187 **Email:** california@isqft.com		Other	Non-Bidder, receive communications
Hi-Voltage Splicing Co., Inc. 755 El Pintado Road Danville, CA 94526 United States	**Contact:** Kelly Ortiz **Phone:** 925-838-7979 **Fax:** 925-838-7978 **Email:** kelly@hi-voltagesplicing.com		Subcontractor	Bidder
Mike Brown Electric Co. 561-A Mercantile Drive Cotati, CA 94931 United States	**Contact:** Susan Allred **Phone:** 707-792-8100 **ext.** 3019 **Fax:** **Email:** sue@mbelectric.com		Prime	Bidder
Peninsula Builders Exchange 735 Industrial Road Suite 100 San Carlos, CA 94070 United States	**Contact:** Andrea Nettles **Phone:** 650-591-4486 **Fax:** **Email:** support@constructionplans.org		Other	Non-Bidder, receive communications
CF Contracting 96 Forrest Avenue Fairfax, CA 94930 United States	**Contact:** Melinda Benedict **Phone:** 415-497-7005 **Fax:** **Email:** benedict.melinda@gmail.com		Prime	Bidder
MP NexLevel of California 4025 Nelson Ave. Concord, CA 94520 United States	**Contact:** Louis Menard **Phone:** 559-474-1329 **Fax:** **Email:** lmenard@mpnexlevel.com		Prime	Bidder
Reliable Supply, Inc. PO Box 40444 Grand Junction, CO 81504 United States	**Contact:** Lovely Banquil **Phone:** 970-243-1929 **Fax:** **Email:** lovely@reliable-supply.com		Other	Bidder
Cal-Duct Inc 2522 Lee Ave South El Monte, CA 91733 United States	**Contact:** Guillermo Ocegueda **Phone:** 626-575-3135 **Fax:** 626-575-2877 **Email:** go@calduct.com	WBE	Supplier	Bidder
Lords Electric Inc 4045 N. Freeway Blvd Sacramento, CA 95834 United States	**Contact:** Valentin **Phone:** 916-410-2386 **Fax:** **Email:** Lordselectric.val@gmail.com	OSB	Subcontractor	Bidder
Pelagic Engineering 3600 Harbor Blvd. #85 Oxnard, CA 93035 United States	**Contact:** StephenJackson **Phone:** 805-984-3421 **Fax:** 805-985-2834 **Email:** stephen@pelagicengineering.com		Prime	Bidder
The Blue Book Building & Construction Network P.O. Box 500 Jefferson Valley, NY 10535 United States	**Contact:** Jim Heller **Phone:** 914-245-0200 **ext.** 3486 **Fax:** 914-243-4936 **Email:** Jheller@thebluebook.com		Other	Non-Bidder, receive communications
Flatiron Electric Group, Inc. 7911-A Pine Ave Chino, CA 91708 United States	**Contact:** Mark Dillard **Phone:** 714-228-9631 **Fax:** 909-597-9151 **Email:** mdillard@flatironcorp.com		Prime	Bidder
Bid America 41085 Elm Street Murrieta, CA 92562 United States	**Contact:** Tracy Kirby **Phone:** 951-813-2084 **Fax:** 951-600-0615 **Email:** planroom@bidamerica.com		Other	Bidder
OMEGA PACIFIC ELECTRICAL SUPPLY 618 S. 8TH ST UNIT# 400A RICHMOND, CA 94804 United States	**Contact:** Jose Flores **Phone:** 510-236-8520 **ext.** 3013 **Fax:** 510-236-6188 **Email:** jflores@omegapacific.com	MBE	Supplier	Bidder

Prospective Bidders

Onesource Construction 3850 San Pablo Dam Rd El Sobrante, CA 94803 United States	**Contact:** Randy Bajwa **Phone:** 925-984-1093 **Fax:** 510-439-2893 **Email:** onesourceconstructionusa@gmail.com	Prime	Bidder
Sipracorp 2640. N Renn Ave. Fresno, CA 93727 United States	**Contact:** Jim Chisum **Phone:** 559-294-8380 **Fax:** 559-294-8383 **Email:** jim@sipracorp.com	Supplier	Bidder
DMZ Builders 1717 Solano Way Unit # 19 Concord, CA 94520 United States	**Contact:** Aravind Duvvuru **Phone:** 925-826-5387 **ext.** 16 **Fax:** **Email:** aduvvuru@gmail.com	Prime	Bidder
Ross Construction Services P.O. Box 20353 San Rafael, CA 94912 United States	**Contact:** Lawrence Ross **Phone:** 415-261-1590 **Fax:** **Email:** lfross65@hotmail.com	Other	Bidder

AGENDA REPORT

PUBLIC WORKS –
OPERATIONS & MAINTENANCE

DATE: February 3, 2015

TO: Mayor Butt and Members of the City Council

FROM: Yader A. Bermudez, Public Works Director
Al Shanklin, Facilities Maintenance Superintendent

SUBJECT: PROPOSED CONTRACT WITH NEMA CONSTRUCTION FOR THE REHABILITATION OF THE RICHMOND PARKWAY TRAFFIC SIGNAL INTERCONNECT SYSTEM

STATEMENT OF THE ISSUE:

Staff is requesting authorization to contract with NEMA Construction to provide and install 200 Christy traffic rated boxes and to re-wire the Richmond Parkway traffic signal interconnect system from San Pablo Avenue to Interstate I-580.

RECOMMENDED ACTION:

APPROVE a contract with NEMA Construction to provide and install 200 Christy traffic rated boxes and to re-wire the Richmond Parkway traffic signal interconnect system from San Pablo Avenue to Interstate I-580 in an amount not to exceed $300,000.00 – Public Works Department (Yader A. Bermudez, 231-3008).

FINANCIAL IMPACT OF RECOMMENDATION:

The proposed expenditure of $297,000.00 plus a $3,000.00 contingency ($300,000.00) is funded by Measure J.

DISCUSSION:

The proposed contract is part of the comprehensive project to renovate the lighting and electrical systems on the Richmond Parkway, and will help improve traffic flow by making the traffic signal interconnect system functional.

On October 9, 2014, bids for construction services were solicited on BidsOnline. Bidding contractors attended an on-site pre-bid meeting on October 24, 2014, to fully understand the scope of work involved. On November 14, 2014, seven bids were received as follows:

	Total
NEMA Construction (Albany)	$297,000.00
MP Nexlevel (Maple Lake, MN)	$298,250.00
St. Francis Electric, Inc. (San Leandro)	$367,300.00
Columbia Electric Inc. (San Leandro)	$421,150.00
DMZ Builders (Concord)	$499,250.00
WBE (Novato)	$522,400.00
Malachi (Richmond)	$564,590.00

NEMA Construction is eligible to receive a 5% rating incentive based on compliance with section 2.50.070 of the Richmond Municipal Code concerning local businesses. NEMA Construction included Laner Electrical Supply (Richmond) with 54.92% local participation. Therefore, staff recommends awarding the contract to NEMA Construction.

DOCUMENTS ATTACHED:

Attachment 1 - Contract
Attachment 2 - Bids Online
Attachment 3 - Canvass of Bids

NEMA Construction

Project : Richmond Parkway interconnect wire and pull box replacement **Date : 04/14/15**

Proposal

Description:Video detection system at Gertrude/parkway and Goodrick/parkway.

ITEM OF WORK		Cost	
Item No	DESCRIPTION		
	All conduits required to do this project. 2" conduit Boring and trenching.		
	4-Camera at each intersection with all devices.Total of 8- Cameras.		
	All connection and testing.		
	TOTAL	**$145,250.00**	

Notes

555 Pierce Street #1005
Albany,CA 94706

nema -99- t.com

TEL: 510-525-2398
FAX: 510-525-2304

AGENDA ITEM REQUEST FORM

Department: Mayor's Office **Department Head:** Tom Butt **Phone:** 620-6503

Meeting Date: 5/19/2015 **Final Decision Date Deadline:**_____

STATEMENT OF THE ISSUE: Boards and commissions are important in that they enable citizens to participate in Richmond's governing processes. Their activities help shape and influence public policy by lending a diverse set of viewpoints for the City Council to consider. A complete list of all Richmond boards and commissions is available on the City Clerk's Office website. There are currently several vacancies on boards and commissions. The Richmond Municipal Code gives the Mayor the authority to fill vacancies with the concurrence of at least three other City Council members. The Mayor reviewed applications for the vacant positions and selected appointments for the Richmond City Council's consideration.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐**Other**_____

ITEM APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☒ **Other** CONSENT CALENDAR

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: APPROVE the following appointments and re-appointments: Commission on Aging: Myrtle Braxton, re-appointment, term expiring May 19, 2017; Kathleen Good, re-appointment, term expiring May 19, 2017; Rose Brooks, re-appointment, term expiring May 19, 2017; Dolores Johnson, re-appointment, term expiring May 19, 2017; Economic Development Commission: Larry Fleming, re-appointment, term expiring March 30, 2018; Point Molate Citizens Advisory Committee: Bruce Brubaker, new appointment, term expiring May 30, 2017; Bruce Beyaert, new appointment, term expiring May 30, 2017; Katrinka Ruk, new appointment, term expiring May 30, 2017; Urban Forest Advisory Committee: Toody Maher, new appointment; Libby Smith, new appointment; Lon Sun, new appointment; Liz Bittner, new appointment; Felix Hunziker, new appointment - Mayor Tom Butt (620-6503).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

F-3.

#F-3.

AGENDA REPORT

MAYOR'S OFFICE

DATE: May 19, 2015

TO: Members of the City Council

FROM: Tom Butt, Mayor

SUBJECT: APPOINTMENTS TO BOARDS AND COMMISSIONS

STATEMENT OF THE ISSUE:

Boards and commissions are important in that they enable citizens to participate in Richmond's governing processes. Their activities help shape and influence public policy by lending a diverse set of viewpoints for the City Council to consider. A complete list of all Richmond boards and commissions is available on the City Clerk's Office website. There are currently several vacancies on boards and commissions. The Richmond Municipal Code gives the Mayor the authority to fill vacancies with the concurrence of at least three other City Council members. The Mayor reviewed applications for the vacant positions and selected appointments for the Richmond City Council's consideration.

RECOMMENDED ACTION:

APPROVE the following appointments and re-appointments: Commission on Aging: Myrtle Braxton, re-appointment, term expiring May 19, 2017; Kathleen Good, re-appointment, term expiring May 19, 2017; Rose Brooks, re-appointment, term expiring May 19, 2017; Dolores Johnson, re-appointment, term expiring May 19, 2017; Economic Development Commission: Larry Fleming, re-appointment, term expiring March 30, 2018; Point Molate Citizens Advisory Committee: Bruce Brubaker, new appointment, term expiring May 30, 2017; Bruce Beyaert, new appointment, term expiring May 30, 2017; Katrinka Ruk, new appointment, term expiring May 30, 2017; Urban Forest Advisory Committee: Toody Maher, new appointment; Libby Smith, new appointment; Lon Sun, new appointment; Liz Bittner, new appointment; Felix Hunziker, new appointment.

FINANCIAL IMPACT:

There are no financial impacts related to this item.

DISCUSSION:

Section (C) of Article III-A of the Richmond Municipal Code provides that, "the Mayor shall have the authority at any regularly scheduled meeting of the City Council to make appointments to or removals from all City boards, commissions and committees with the concurrence of at least three (3) other members of the City Council." Mayor Thomas K. Butt has reviewed all applications for several boards and commissions, and the Mayor is recommending the following appointments:

Commission on Aging
- Myrtle Braxton, re-appointment, term expiring May 19, 2017
- Kathleen Good, re-appointment, term expiring May 19, 2017
- Rose Brooks, re-appointment, term expiring May 19, 2017
- Dolores Johnson, re-appointment, term expiring May 19, 2017

Economic Development Commission
- Larry Fleming, re-appointment, term expiring March 30, 2018
-

Point Molate Citizens Advisory Committee
- Bruce Brubaker, new appointment, term expiring May 30, 2017
- Bruce Beyaert, new appointment, term expiring May 30, 2017
- Katrinka Ruk, new appointment, term expiring May 30, 2017

Urban Forest Advisory Committee
- Toody Maher, new appointment
- Libby Smith, new appointment
- Lon Sun, new appointment
- Liz Bittner, new appointment
- Felix Hunziker, new appointment

NEXT STEPS:

If the appointments are accepted by the City Council, the appointed individuals will serve on their appointed board or commission until her or his term expires.

AGENDA ITEM REQUEST FORM

Department: PLANNING **Department Head:** RICHARD MITCHELL **Phone:** 620-6706

Meeting Date: **5/19/2015** **Final Decision Date Deadline:**_____

STATEMENT OF THE ISSUE: The Planning Director initiated zoning text amendments to bring existing City regulations for transitional and supportive housing and emergency shelters into conformance with adopted amendments to Government Code Sections 65582, 65583, and 65589.5, specifically Senate Bill (SB) 2 and SB 745. In order to certify the City's Housing Element, the City is required to bring its Zoning Ordinance into compliance with these Senate Bills. The Planning Commission unanimously recommended adoption of these zoning amendments.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐**Other**_____

ITEM _____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☒ **Ordinance** ☐ **Other** _____

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: ADOPT an ordinance (second reading) amending the definitions in Richmond Municipal Code Section 15.04.020, the uses listed in Sections 15.04.100 through 15.04.250; and provisions relating to homeless shelters and transitional housing in Section 15.04.810.040, to bring the City's land use regulations into compliance with adopted amendments (Senate Bill (SB) 2 and SB 745) to Government Code Sections 65582, 65583 and 65589.5 - Planning and Building Services Department (Richard Mitchell 620-6706).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

F-4.

AGENDA REPORT

PLANNING AND BUILDING SERVICES DEPARTMENT

DATE: May 19, 2015

TO: Mayor Butt and Members of the City Council

FROM: Richard Mitchell, Director of Planning and Building Services
Lina Velasco, Senior Planner

SUBJECT: ZONING TEXT AMENDMENTS RELATED TO EMERGENCY SHELTERS AND SUPPORTIVE AND TRANSITIONAL HOUSING

STATEMENT OF THE ISSUE:

The Planning Director initiated zoning text amendments to bring existing City regulations for transitional and supportive housing and emergency shelters into conformance with adopted amendments to Government Code Sections 65582, 65583, and 65589.5, specifically Senate Bill (SB) 2 and SB 745. In order to certify the City's Housing Element, the City is required to bring its Zoning Ordinance into compliance with these Senate Bills. The Planning Commission unanimously recommended adoption of these zoning amendments.

RECOMMENDED ACTIONS:

ADOPT an ordinance (second reading) amending the definitions in Richmond Municipal Code Section 15.04.020, the uses listed in Sections 15.04.100 through 15.04.250; and provisions relating to homeless shelters and transitional housing in Section 15.04.810.040, to bring the City's land use regulations into compliance with adopted amendments (Senate Bill (SB) 2 and SB 745) to Government Code Sections 65582, 65583 and 65589.5.

FINANCIAL IMPACTS:

There is no cost to the general fund associated with adopting this Ordinance.

BACKGROUND:

On January 1, 2008, the Governor of the State of California signed into law Senate Bill 2 (SB2), a bill amending Sections 65583 and 65589.5 of the Government Code

mandating certain approaches to local regulation of emergency shelters and of transitional and supportive housing. Namely, Senate Bill 2 requires that cities:

1) Permit transitional and supportive housing as a residential use which is subject to only those restrictions that apply to other dwellings of the same type in the same zone, and

2) Identify at least one zone, with sufficient capacity, to permit emergency shelters without a conditional use permit or other discretionary action.

In addition to SB2, on January 1, 2014, SB 745 went into effect, modifying the definitions of supportive housing, target populations, and transitional housing as defined in SB2. SB 745 generally amends Section 65582 of the Government Code to replace prior Health and Safety Code definitions for these uses with definitions that specifically relate to housing element law.

In order to certify the City's Housing Element, the City is required to adopt amendments that bring the City's zoning regulation into compliance with the requirements of SB2. Cities are required to update and obtain certification by HCD of their housing element every eight years. In addition, the One Bay Area Grant program requires that local jurisdictions have an HCD certified Housing Element by May 31, 2015, in order to be eligible for funding.

DISCUSSION:

Generally, SB 2 amends housing element law regarding planning and approval for emergency shelters and transitional and supportive housing as follows:

<u>Government Code Section 65583 requires that:</u>

- At least one zone shall be identified to permit emergency shelters without a conditional use permit or other discretionary action.
- Sufficient capacity must be identified to accommodate the need for emergency shelters and at least one year-round emergency shelter.
- Existing or proposed permit procedures, development and management standards must be objective and encourage and facilitate the development of or conversion to emergency shelters.
- Emergency shelters shall only be subject to development and management standards that apply to residential or commercial within the same zone.
- Written and objective standards may be applied as specified in statute, including maximum number of beds, provision of onsite management, length of stay and security.
- Flexibility for jurisdictions to meet zoning requirements with existing ordinances or demonstrate the need for emergency shelters can be accommodated in existing shelters or through a multi-jurisdictional agreement.

- Transitional and supportive housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone.

SB 2 allows flexibility for local governments to apply written, objective development and management standards for emergency shelters with regards to:

- The maximum number of beds or persons permitted to be served nightly by the facility.
- Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.
- The size and location of exterior and interior on-site waiting and client intake areas.
- The provision of on-site management.
- The proximity to other emergency shelters provided that emergency shelters are not required to be more than 300 feet apart.
- The length of stay.
- Lighting.
- Security during hours that the emergency shelter is in operation.

These standards must be designed to encourage and facilitate the development of, or conversion to, an emergency shelter. Staff is proposing development and management standards in the proposed Zoning Text Amendments. No other standards beyond those listed above are permitted (e.g. minimum distance from schools or other uses).

Ordinance Highlights

The proposed Zoning Text Amendments would:

- Add new definitions to the Zoning Ordinance Section 15.04.020 for transitional housing, supportive housing, and emergency shelters that are consistent with state law;
- Delete definition in Zoning Ordinance Section 15.04.020 for Recovery Facility (Limited and General) since this use will fall within the definition of supportive housing;
- List transitional housing and supportive housing as permitted residential uses in all zones where residential uses are allowed (specifically, SFR-1, SFR-2, SFR-3, MFR-1, MFR-2, MFR-3, and MFR-4), as required by state law;
- Delete recovery facility, limited from permitted use lists and recover facility, general from conditionally uses lists since this use will no longer be defined in the Zoning Ordinance;
- Replace reference to homeless shelters with emergency shelters since homeless shelters are not currently defined and will fall under the emergency shelter definition proposed;

- Continue to allow emergency shelters with a 10 bed limit in all residential zoning districts;
- Add emergency shelters as a permitted use with a 50 bed limit in the C-B, Central Business District. The C-B zoning district is the designation of the area located in the historic downtown area, surrounding the Richmond Intermodal Station. The general boundaries of this zone is Barrett Avenue to the north, Bissell Avenue to the south, 6th Street to the west, and 19th and 22th Street to the east;
- Modify the current Homeless Shelters and Transitional Housing requirements in Zoning Ordinance Section 15.04.810.010 to provide written and objective standards applying to emergency shelters only including maximum numbers of beds, off-street parking, provision of on-site management, location of client intake areas, proximity to other shelters provided not greater than 300 feet, lighting, and security.

HCD reviewed the proposed Zoning Text Amendments and affirms they comply with SB2.

General Plan Consistency

The City's Housing Element, adopted January 2013, has a program H-1:1.4 titled *Compliance with State Law* stating that the City should continually monitor changes in State Housing law to ensure City regulations are in compliance. The proposed amendments would bring the City regulations into compliance with State Housing Law.

In addition, the Housing Element has program H-3.6.2 titled *Zoning Ordinance Amendments to Comply with SB2*, calling for the City to amend the Zoning Ordinance to facilitate emergency shelters and ensure that transitional and supportive housing uses are considered residential uses subject to those restrictions and requirements applying to other residential uses of the same type and in the same zone. The proposed amendments are consistent with this program.

ENVIRONMENTAL REVIEW: The adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) per the State CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed zoning text amendments will not have an impact on the environment because they do not directly facilitate new development, or changes in the type and intensity of land use.

PLANNING COMMISSION RECOMMENDATION

On April 23, 2015, the Planning Commission held a duly noticed public hearing to review and consider the proposed zoning text amendments, and unanimously voted to

adopt Resolution 15-14 recommending that the City Council approve the proposed Zoning Text Amendments related to emergency shelters and transitional and supportive housing.

DOCUMENTS ATTACHED:

1. Draft Ordinance
2. Zoning Map

ORDINANCE NO. ___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND AMENDING CHAPTER 15.04 OF THE RICHMOND MUNICIPAL CODE RELATED TO EMERGENCY SHELTERS, TRANSITIONAL HOUSING AND SUPPORTIVE HOUSING

WHEREAS, on January 1, 2008, the Governor of the State of California signed into law Senate Bill 2 (SB2), a bill amending Section 65583 of the Government Code mandating certain approaches to the local regulation of emergency shelter and of transitional and supportive housing; and

WHEREAS, State Housing Element law requires local planning and zoning regulations to facilitate emergency shelters, and in particular, SB2 requires all cities and counties to provide at least one zoning category in which emergency shelters can be located without discretionary approval from the local government; and

WHEREAS, Government Code Section 65583(a)(5) requires that a housing element demonstrate that transitional and supportive housing are permitted as a residential use and subject to only those restrictions that apply to other residential dwellings of the same type in the same zone, which also is required in order to be eligible for streamlined Housing Element review and certify the City's Housing Element; and

WHEREAS, the City's Housing Element has a program H-1:1.4 titled Compliance with State Law to continually monitor changes in State Housing law to ensure City regulations are in compliance; and

WHEREAS, the City's Housing Element program H-3.6.2 titled Zoning Ordinance Amendments to Comply with SB2, calls for amending the Zoning Ordinance to facilitate emergency shelters and ensure that transitional and supportive housing uses are considered residential uses subject to those restrictions and requirements applying to other residential uses of the same type and in the same zone; and

WHEREAS, on January 1, 2014, Government Code Section 65582 was amended to replace prior Health and Safety Code definitions of supportive housing, target population, and transitional housing with definitions more specific to housing element law (SB745); and

WHEREAS, it is the intent of the City to implement federal and state housing laws and policies and programs contained In the City of Richmond's General Plan, including the Housing Element; and

WHEREAS, on April 23, 2015, the Planning Commission of the City of Richmond ("Commission") held a duly noticed public hearing to consider the proposed zoning text amendments, and adopted Resolution 15-14 recommending that the City Council adopt the proposed amendments; and

WHEREAS, on May 5, 2015, the City Council of the City of Richmond held a duly noticed public hearing to consider the proposed amendments, and heard testimony regarding the proposed amendments; and

WHEREAS, the City Council reviewed the agenda report and all oral and written information presented at the hearing; and

WHEREAS, the City Council finds and determines the adoption of this Ordinance is exempt from California Environmental Quality Act (CEQA) per the State CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the activity in questions may have a significant effect on the environment. The proposed zoning text amendments will not have an impact on the environment because they do not directly facilitate new development, or changes in the type and intensity of land use.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND does ordain as follows:

SECTION I. Section 15.04.020 entitled "Definitions" of the Richmond Municipal Code is hereby amended as follows **(~~strikeout text~~ indicates deletion; <u>underline text</u> indicates insertion)**:

15.04.020 - Definitions.

For the purpose of this chapter, certain terms and words are herewith defined below. If any of these definitions are in conflict with the provisions of Title 24 of the State of California Building Code, then the requirements of Title 24 shall govern.

1. "Abutting" means two or more lots or parcels of land having a common border or being separated from such a common border by a right-of-way, alley or easement. Parcels having no common boundary other than a corner shall not be considered abutting.

2. "Access" means the place, means or way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property or use as required by this chapter.
3. "Access driveway" means a driveway that provides access into and through a parking area from a street access point, provides access to the parking aisles, or provides interior circulation among parking areas.
4. "Accessory building" or "use" means a building or use which is clearly incidental or subordinate to and serves the principal building or use located on the same lot.
5. "Addition" means an extension or increase in floor area or height of a building or structure.
6. "Additive district" means district classification which can be used in conjunction with another district to accomplish a specific purpose.
7. "Administrative review" means permit/project review, approval or disapproval by the Planning Director or his/her designee.
8. "Adult business" means any commercial activity, whether conducted intermittently or full time, which primarily involves the sale, display, exhibition or viewing of books, magazines, films, videos, photographs or other materials, distinguished or characterized by an emphasis on matter depicting, describing or relating to human sex acts, or by an emphasis on male or female genitals, buttocks or female breasts. Such activity includes adult book stores, adult arcades, adult movie theaters, sexual encounter establishments, adult cabarets, massage parlors and adult theaters, which exclude minors by virtue of age.

8.1. "Adult vocational school" means an educational institute admitting only persons 16 years of age and older and providing a curriculum designed to develop the necessary skills for a specific job, industry or career.

9. "Alley" means a public or private permanently reserved thoroughfare less than 16 feet but not less than 10 feet in width, other than side street, which has been dedicated or deeded to the public for public use as a secondary means of access to abutting properties.
10. "Alteration" means any change, addition or modification in construction or occupancy of an existing structure or use.
11. Alteration, structural. "Structural alteration" means a change, in the exterior appearance or the supporting members of a structure, such as bearing walls, columns, beams or girders.
12. "Amendment" means a change in the wording, context or substance of the zoning ordinance, or a change in the district boundaries on the zoning map.
13. "Amusement/recreational service" means any commercial activity whether conducted intermittently or full-time which is primarily used for physical recreation or entertainment. The phrase "amusement services," includes any billiard or pool hall, bowling alley, boxing arena, dance hall, arcade, shooting

gallery and any similar commercial activity which is conducted within a building or screened from public view by solid fencing. Miscellaneous amusement services include physical fitness facilities, golf courses, amusement parks, membership sports and recreation clubs, etc.

14. Animal, domestic. See "domestic animal."

15. "Antenna" means any system of wires, panels, poles, rods, reflecting discs or similar devices used for the transmission or reception of electromagnetic signals. Does not include any support structure upon which an antenna is mounted.

15.1. "Antenna structure" means any structure, including a pole, mast, or tower, whether free-standing or mounted on another building or structure, that supports an antenna or an array of antennas. The height of an antenna structure is measured to the highest point of any antenna mounted thereon, or the antenna structure supporting the antenna, whichever is higher.

15.2. "Antique store" means a retail business engaged in buying and selling antiques which consist of old objects such as china or furniture considered valuable because of their age, beauty or rarity. All business activity and storage shall be conducted within a building.

16. "Apartment house" means any building or portion thereof which contains three or more dwelling units.

16.1. "Applicant (or project applicant)" means any entity or person who applies for a discretionary land use permit as provided in Chapter 15.04

16.2. "Approved radio frequency expert" means a person or firm specializing in radio frequency wireless telecommunications technology, including wireless site design, retained by the City at the applicant's sole expense to perform work as provided herein.

17. "Attached structure" means a structure having at least 5 linear feet of wall serving as a common wall with the structure to which it is attached, or connected thereto by a continuous roof at least 8 feet wide.

18. "Automobile" means any self-propelled, motorized vehicle used, intended to be used, or (originally) designed to be used for the transportation of people upon a street or highway, but not including any vehicle designed for travel on stationary rails or tracks. As used in this chapter, "automobile" includes motorcycles and light trucks with a capacity rating not exceeding one ton, and any (travel) trailer (designed to) which can be towed by any of the above-described vehicles.

19. "Automobile body repair" means a business operated in a building or part thereof where repairs, alterations or replacements are made to automobile and truck bodies and related components. Typically, these activities include welding, frame straightening or painting, as well as minimal trim work (e.g., installation or replacement of mirrors, upholstery, decorative trim or striping).

20. "Automobile parts sales" means a business operated in a building, where parts for automobiles, from sources off-site, are sold.

21. "Automobile repair" means a business operated in a building or part thereof where automobiles are repaired or reconditioned. Such repair shall be limited to mechanical and electronic systems only. Painting (which requires a spray booth), repair or alterations to automobile body parts or frame shall not be allowed. Minimal trim work (e.g., installation or replacement of mirrors, upholstery, decorative trim or striping) is allowed.

    Vehicles being repaired may be retained for more than 24 hours but not longer than 30 days.

22. "Automobile sales" means a business engaged in the sale of used or new automobiles. Automobile repair may be permitted on the premises as an ancillary activity.

23. "Automobile service station" means any business or premises engaged in the sale of gasoline and other fuel products, including biofuel and biodiesel, and/or light maintenance activities such as engine tune-up, lubrication and minor repairs. Service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, body fender work or storage for more than a 24 hour period are conducted.

24. "Automobile storage" means the storage of a motor vehicle for a period in excess of 24 hours without repairs or maintenance being required.

25. "Automobile wrecking/salvage" means the removal of part(s) from an automobile and/or retention of said automobile from which its part(s) have been removed for the purpose of reuse, sale or disposal; and/or the dumping of dismantled or wrecked automobiles or their parts. This business is normally conducted in the nonbuilding space of the premises and there are present at least two or more automobiles or parts that have been retained for a period longer than 24 hours.

25.1. "Available space" means the space on a tower or structure to which antennas of a personal wireless provider are both structurally able and electromagnetically able to be attached.

26. "Balcony" means a platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail, balustrade or parapet.

27. "Banks/depository financial institutions" means a business enterprise involved with the deposit and exchange of money and services related to the financial system.

28. "Bar" means any business wherein alcoholic beverages are sold at retail for consumption on the premises and minors are excluded therefrom by law. It shall not mean a business wherein such beverages are sold in conjunction with the sale of food for consumption on the premises and the sale of said beverages comprises less than 25% of the gross receipts.

28.1."Base station facility" means the primary sending and receiving site in a wireless telecommunications network, including all radio-frequency generating equipment connected to antennas. More than one base station and/or more

than one variety of personal wireless service provider can be located on a single tower or structure.

29. "Basement" means any floor level below the first story in a building. A basement, when designed for or occupied for commercial purposes or as a separate dwelling unit shall be considered a story.

30. "Bath house" means a business which engages in providing sauna baths, water baths, showers, steam rooms or steam baths, or any other body cleansing and toning arrangement wherein an attendant accompanies the customer into the room or facility.

31. "Bed and breakfast inn" means a house, or portion thereof, where short-term lodging rooms with/or without meals are provided for compensation. The operation of the inn shall be on the premises or in adjacent premises.

31.1. "Biodiesel" means a fuel compromised [comprised] of mono-alkyl esters of long fatty acids derived from vegetable oils or animal fats, designated B100, and meeting the requirements of ASTM D 6751 or, for biodiesel to be shipped outside of United States, the specification for biodiesel fuel commonly used in the country where it will be shipped for use as fuel or blend stock. "Biodiesel facilities" refer to any site or building used for the refinement, production, storage or distribution of biodiesel, first generation biofuel, second generation biodiesel, or third generation biodiesel as defined below.

31.2. "Biofuel" means a fuel (if cultivated, then also called agrofuel or agrifuel) which is broadly defined as solid, liquid, or gas fuel consisting of or derived from recently dead biological material, most commonly plants.

a. "First generation biofuels" refer to biofuels made from sugar, starch, vegetable oil, or animal fats using conventional technology. The most common first generation biofuels are: 1) vegetable oil; 2) biodiesel; 3) bioalcohols; 4) biogas; 5) solid biofuels such as wood, grass cuttings, domestic refuse, charcoal and dried manure; 6) syngas.

b. "Second generation biofuels" refer to biofuels made from a variety of non-food crops, including waste biomass, the stalks of wheat, corn, wood, and special energy-or-mass crops (i.e. Miscanthus).

c. "Third generation biofuels" refer to biofuels derived from algae.

d. "Biofuel facilities" refer to any site or building used for the refinement, production, storage or distribution of biofuels, first generation biofuels, second generation biofuels, or third generation biofuels as defined above.

32. Boarding House. See "rooming house."

33. "Building" means any structure having a roof supported by columns or walls.

34. "Building Code" means any ordinance of the City of Richmond's Municipal Code Article VI governing the type and method of construction of buildings, signs, and sign structures and any amendments thereto and any substitution thereof, including but not limited to Title 24.

35. Building Coverage. See "lot coverage."

36. "Building frontage" means the linear dimension, parallel to the ground, of that side of a building facing on a public street.

36.1."California Public Utilities Commission ("CPUC")" means the government agency responsible for regulating utilities in California.

36.2. "Camouflaged facility" means a wireless communications facility located so as to be of minimal visibility, such as being incorporated within an architectural feature such as a steeple or parapet, or in the open but disguised as a tree or other natural feature.

37. "Carport" means any detached accessory building, or an accessory portion of a principal building having either none, 1, 2 or 3 walls, roof, and no vehicle entrance door; designed to be used primarily for the shelter and storage of motor vehicles owned or operated by the occupants of the principal building.

37.1. "Carrier on wheels" or "cell on wheels ("COW")" means a portable self-contained wireless communications facility that can be moved to a location and set up to provide personal wireless services on a temporary or emergency basis. A COW may be vehicle-mounted, self propelled, or towed. COWs do not include mobile news vehicles operated by news gathering organizations accredited by any local government.

38. "Cemetery" means land used or intended to be used primarily for the burial of deceased persons or animals and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of the cemetery.

38.1. "Certification" means a certificate by an approved radio frequency expert that a facility will be designed, and at all times operated, in full compliance with current FCC guidelines for human exposure to radio frequency emission, considering both the controlled/occupational and uncontrolled/general population limits.

38.2. "Coin dealer" means any person, firm, partnership, or corporation whose principal business is the buying, selling and trading of coins, monetized bullion, or commercial grade ingots of gold, silver or other precious metals.

38.3. "Co-location" means the use of a wireless communications facility by more than one (1) personal wireless service provider.

39. "Commercial filming studio" means an enterprise engaged in the production, distribution or exchange of motion picture photography at the same location more than six days per quarter of a calendar year.

39.1 "Commercial grade ingots" means 0.99 fine ingots of gold, silver, or platinum, or 0.925 fine sterling silver art bars and medallions, provided that the ingots, art bars and medallions are marked by the refiner or fabricator as to their assay fineness.

40. "Commercial use" means an occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee. The operation and facilities necessary thereto or private firms engaged in the distribution of goods, the provisions of services, or the administration of business.
41. "Commission" means the Planning Commission of the City of Richmond.
42. "Common area" means a parcel or parcels of land, together with the improvements thereon, which are shared by several owners in common.
43. "Conditional use" means a use that is generally compatible with other uses permitted in a zoning district, but that requires individual review of its location, design, configuration, and intensity and density of use and structures, and may require the imposition of conditions pertinent thereto to ensure the appropriateness of the use at that particular location. The Planning Commission shall have responsibility for the review of conditional uses.
44. Condominium, Residential. See "apartment house."
45. "Congregate care facility" means a facility providing full-time care, either permanently or temporarily, for those persons unable to live independently, due to age, physical or developmental disability or medical disability. Congregate care facilities include the following state-authorized or licensed operation:
    a. Congregate Care Facility, Limited. Facilities providing care for 6 or fewer children or adults housed in a single-family residential unit; and
    b. Congregate Care Facilities, General. Facilities providing care for 7 or more children or adults.
46. "Convenience store" means a retail establishment offering the sales of food, beverages, medicine, and small convenience items, primarily for off-premises consumption and typically found in establishments with long or late hours of operation. Off-sale of alcoholic beverages requires the approval of a conditional use permit.
47. "Council" means the City Council of Richmond.
48. "Court" means a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on 3 or more sides by walls of a building and/or buildings.
49. "Coverage, lot or site" means the percentage of a site covered by a roof, soffit, trellis, eave or overhang extending more than 2.5 feet from a wall and by a deck more than 30 inches in height.
50. "Day care facility" means a facility which provides nonmedical care to children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. Child day care facilities include day care centers and day care homes. Refer to definitions for both.

a. Day Care Center. Any child day care facility other than a family day care home. Includes infant care centers, preschools, and extended day care facilities.

b. Day Care Home. A licensed home which is authorized, certified or licensed by the State of California which regularly provides care, protection and supervision of 12 or fewer children in the provider's own home, for periods of less than 24 hours per day. The number of children shall include children under the age of 10 who reside at the provider's home.

c. Day Care Home, Limited. A licensed facility which provides day care to 6 or fewer children.

d. Day Care Home, General. A licensed facility which provides day care for 7 to 12 children.

51. "Deck" means a platform less than 30 inches above grade, either freestanding or attached to a building.

52. "Density" means the number of dwelling units per net acre.

53. "Depth" means the linear distance between the front and rear property lines of a site measured along a line midway between the side property lines.

54. "Domestic animals" mean small animals of the type generally accepted as pets that are customarily kept for personal use or enjoyment within the home or yard, such as dogs, cats, rabbits, canaries or parrots.

55. Drinking Establishment. See "bar."

56. "Dwelling" means any building or portion thereof which contains not more than two dwelling units.

57. "Dwelling, multiple-family" means a building or portion thereof containing three or more dwelling units.

58. "Dwelling, single-family, attached (duplex, townhouse, zero lot line developments)" means 1 or 2 or more dwelling units situated on separate lots and having a common or party wall separating the dwelling units.

59. "Dwelling, single-family, detached" means a detached building containing a single dwelling unit and surrounded by open space on the same lot.

60. "Dwelling unit" means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by Title 24 of the State of California Uniform Building Code, for not more than one family.

61. "Dwelling unit, second" means a detached or attached dwelling unit accessory to a principal dwelling which provides complete independent living facilities for one or more persons and is in compliance with Section 15.04.810.030 of this chapter.

62. "Eating establishment" means an establishment engaged in the sale of prepared foods and/or nonalcoholic beverages primarily for on-premises consumption.

63. "Eating establishment (fast food)" means an establishment that offers quick food and nonalcoholic beverage service, which is accomplished through a limited menu of items already prepared and held for service or prepared, fried, or grilled quickly, or heated in a device such as a microwave oven. The food is generally served in disposable wrapping or containers and the establishment may operate for late hours and may offer drive-up, drive-through or curb service.

63.1. "Eating establishment with alcoholic beverage sales" means any eating establishment which also engages in the sale of alcoholic beverages. Alcoholic beverages sales shall be limited to no more than 25% of the gross sales of the eating establishment. There shall be no off-site alcoholic beverage sales allowed.

64. "Educational institution" means an institution giving general academic instruction equivalent to the standards prescribed by the State Board of Education.

65. "Emergency shelter" means housing with minimal supportive services that is designed for and occupied by homeless persons that is limited to occupancy of six (6) months or less in a consecutive 12 month period. No individual or household may be denied emergency shelter because of an inability to pay.

66. "Engineering, management, public administration and related offices" mean offices for any of the following uses: accountant, architect, attorney, chiropractor, optometrists, chiropodist, management, sales and service engineer, planner, surveyor, dentist, physician, psychiatrist, surgeon, and similar uses.

66.1. "Equipment shelter" means a structure designed principally to enclose equipment used in connection with a wireless communications facility.

67. "Erect" means to build, construct, attach, place, suspend or affix to or upon any surface. Such term shall also include the painting of wall signs.

68. "Family" means one or more persons living as a single, housekeeping unit in a dwelling unit as distinguished from a group occupying a hotel, club, shelter, fraternity or sorority house. A family includes any servants.

68.1. "Federal Communication Commission ("FCC")" means the government agency responsible for regulating telecommunications in the United States.

69. "Fence" means a barrier or wall of any material or combination of materials erected for any purpose, such as to physically separate properties, provide privacy, security or confinement.

70. "Floor area, gross" means the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vents, shafts, courts and loading. The floor area of a building, or portion thereof, not provided with

surrounding exterior walls shall be the useable area under the horizontal projection of the roof or floor above.

71. "Floor area ratio (FAR)" means the gross floor area of all buildings on a lot divided by the building site area.

72. "Frontage" means all the property fronting on one side of a street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or City boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

73. "General merchandise stores" means on-premises retail sale or rental of goods for personal or household use, including clothing and department stores, and excludes sale or rental of motor vehicles, automotive parts or accessories, or materials for construction except for paint, small fixtures, and hardware establishments retailing to the consumer.

73.5 "Gold and silver dealer" means the operation of a gold and silver business, either stand alone or in conjunction with the operation of a retail store (e.g., jewelry store, or similar store), which results in 20 percent or more of their gross business receipts being derived from the purchase of gold and silver or similar items (including but not limited to art objects, flatware, tableware or other household items). This category does not include coin dealers or antique stores.

74. "Grade (adjacent ground elevation)" means the lowest point of elevation of the finished surface, paving or sidewalk within the area between the building and the property line. When the property line is more than 5 feet from the building, the grade will be the lowest point of elevation between the building and a line 5 feet from the building.

75. "Grade, existing" means the surface of the ground or pavement at a stated location as it exists before disturbance in preparation for a project regulated by this chapter.

76. "Group residential" means shared living quarters without separate kitchen or bathroom.

77. "Height of building" means the vertical distance above grade measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The height of a stepped or terraced building is the maximum height of any segment of the building along the grade. For structures projecting over water, height will be measured from highest grade at front (landward) property line.

78. "Home occupation" means a business enterprise conducted in a dwelling unit, garage or accessory building in a residential district that is incidental to the principal residential use and which meets the conditions of Section 15.04.810.010.

79. "Hotel" means any building containing six or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests.

80. "Kennel" means any lot, building or dwelling in which more than three dogs, more than four months of age are kept and any building containing two or more dwelling units, including apartment houses and condominiums, in which more than two dogs, more than four months of age are kept in any of the dwelling units. (See also Section 15.04.910.080.F.)

81. "Kiosk" means an ancillary, free-standing commercial structure designed for retail sales.

82. "Landscaping" means planting and maintenance of living vegetation, planted in the ground, including some combination of trees, ground cover, shrubs, vines, flowers or lawns. In addition, the combination or design may include natural features such as rock and stone; and structural features, including but not limited to fountains, reflecting pools, art works, screen walls, fences, and benches. Elements of ornamentation such as an archway, piece of statuary, lamp post, and the like, provided as part of the landscaping in a required front or street side yard may exceed three and one-half feet in height but may not exceed two feet in any horizontal dimension, except for archways which may have one dimension of three feet, and such elements shall not cover more than ten percent of the yard area.

83. "Lane" means any public thoroughfare with an overall width of less than 25 feet, which is primarily used to access side and rear entrances to property or affords a secondary means of vehicle access to the street and to abutting property.

84. "Live/work" means an occupancy by an individual or a family maintaining a common household consisting of one or more rooms or floors in a building originally designed for industrial or commercial occupancy or in a new building specifically designed for live/work and which includes the following:

    a. Cooking and sanitary facilities in accordance with applicable building standards adopted by the City of Richmond; and

    b. Adequate working space reserved for and used by 1 or more persons residing therein.

85. "Loading area" means an open area, other than a street or alley, used for loading or unloading the contents of vehicles.

86. "Lot" means a parcel of land occupied, or intended to be occupied, by a building, group of buildings or uses, and accessory buildings, together with such open space, yard and setbacks as are required. The parcel must have the minimum area required for a lot in the zone in which such lot is located and having its principal frontage on public street or public right-of-way. The classification of lots are as follows:

    a. Corner Lot. A lot abutting on and at the intersection of two or more streets.

b. Flag Lot. A lot having access or an easement to a public or private street by a narrow, private right-of-way.

c. Interior Lot. A lot other than a corner lot.

d. Reversed Corner Lot. A corner lot, the side street line of which is substantially a continuation of the front line of the lot to its rear.

e. Through Lot. A lot having its front and rear yard each abutting on a street.

87. "Lot area" means the horizontal area within the property lines excluding access corridors, vehicular easements, and areas to be included in future street rights-of-way as established by easement, dedication or ordinance.

88. "Lot coverage" means the percent of the lot area which may be covered by all buildings and structures on a lot. The area of a site covered by buildings or roofed areas, excluding allowed projecting eaves, balconies and similar features.

89. "Lot depth" means the average horizontal distance between the front and rear lot lines.

90. Lot front. See "yard, front."

91. "Lot line" means a line dividing one lot from another lot, street or alley.

92. "Lot width" means the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

93. "Manufactured housing" means a home built in a factory in one or more sections, certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 and installed on a foundation system pursuant to Section 1855 of the Health and Safety Code.

94. "Massage establishment" means any establishment having in whole or in part, a fixed place of business where any individual, firm, association, partnership, corporation or combination of individuals, engages in, conducts or carries on or permits to be engaged in, conducted or carried on, massages, baths, health treatments involving massage or baths as a primary or secondary function, provided that "massage establishment" shall not include establishments where massage is administered in conjunction with the practice of a medical doctor, chiropractor, acupuncturist, physical therapist or nurse. (See also Chapter 9.38 of this Code.)

95. "Medical and dental clinic" means clinic or any institution providing medical or dental care on either an appointment or walk-in or nonappointment basis.

96. "Medical and dental office" means an office providing medical or dental care on an appointment basis only.

96.1. "Microcell site" means a small radio transceiver facility comprised of an unmanned equipment cabinet with a total volume of one hundred (100) cubic feet or less that is either under or aboveground, and one omni-directional whip

antenna with a maximum length of five feet (5'), or up to three (3) small (approximately 1' × 2' or 1' × 4') directional panel antennas, mounted on a single existing or replacement pole, an existing or replacement conventional utility pole or light standard, or some other similar support structure.

96.2. "Mini-storage warehouse" means a storage facility that is characterized by individual separate spaces which are accessible by customers for the storing and retrieval of personal effects and household goods. In no case shall storage spaces be used for manufacturing, retail or wholesale selling, office or other business services, or human habitation.

97. "Mobile home park" means a mobile home development constructed according to the requirements of Part 2.1 (commencing with Section 18300) of Division 13 of the Health and Safety Code and intended for use and sale as a mobile home condominium or cooperative park, or as a mobile home planned unit development. Any area or tract of land where sites for the placement of mobile homes for human habitation are rented or leased or are reserved for rental or lease.

97.1. "Monopole" means a type of free-standing antenna structure that is seventeen feet (17') or more in height and is designed to be self-supporting without the use of guy wires.

98. "Motel" means a building or group of buildings containing six or more guest rooms which are rented or hired out to be occupied or which are occupied for sleeping purposes, typically where a majority of such rooms open directly to the outside, and parking is located adjacent to the room.

99. Multifamily residential. See "dwelling, multifamily."

100. "Nonconforming lot" means a lot which was lawfully subdivided or established, but which does not conform with the minimum site area or site width prescribed in the regulations for the district in which the lot is located by reason of adoption or amendment of this title or by reason of annexation of territory to the City.

101. "Nonconforming structure" means any structure legally constructed or established which fails to conform to the regulations of this chapter, within the district in which it is located by reason of the adoption of this chapter or any amendment hereto or by reason of annexation of territory to the City. Structures not legally established, which fail to conform to the provisions of this chapter, shall be deemed to be illegal structures.

102. "Nonconforming use" means a use legally established that, prior to the enactment of the ordinance codified in this chapter and as existing, fails to conform with the use regulations of the district in which it is located by reason of the adoption of this chapter, or a use which is nonconforming prior to the adoption of this chapter, or any amendment thereto, or by reason of annexation of territory to the City. Uses not legally established, which fail to conform to the provisions of this ordinance, shall be deemed to be illegal uses.

103. "Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.

104. "Oil, gas and nonmetallic mineral extraction" means establishments primarily engaged in producing crude petroleum and natural gas; extracting oil from oil sands and oil shale; producing natural gasoline and cycle condensate; producing gas and hydrocarbon liquids from coal; and mining, quarrying or exploring for nonmetallic minerals.

105. "Open space" means any outdoor area not located within a required front or side setback which is intended to provide light and air, and to be used exclusively for leisure and recreational purposes.

106. "Open space, common" means an open area within a residential development reserved for the exclusive use of the residents of the development and guests.

107. "Open space, private" means a usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

108. "Parking garage, private" means a building or a portion of a building, in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept but not for repair thereof.

109. "Parking garage, public" means any garage other than a private garage.

110. "Parking lot" means off-street parking area not within a building where motor vehicles may be stored for the purposes of temporary, daily or overnight parking.

111. "Parking space" means an unobstructed, permanently reserved and clearly delineated area or space other than a street or alley maintained for the parking of one motor vehicle.

111.05. "Pawnbroker" means any person, co-partnership, firm, or corporation in possession of a valid pawnbroker's license (California Financial Code Section 2030-2043) whose business includes buying, selling, trading, "taking in pawn," accepting for sale on consignment, accepting for auctioning, or auctioning secondhand tangible personal property. The key difference between a pawnbroker and secondhand dealer is that a pawnbroker loans money for tangible personal property while a secondhand dealer does not. "Pawnbroker" does not include coin dealers, antique stores, auctioneers or reconditioning and selling household appliances.

111.06. "Pawnshop" means a business engaged in conducting, managing or carrying on the business of pawn brokering or loaning money, which includes buying, selling and taking in pawn tangible personal property.

111.1. "Permittee" means a person or entity who has procured a lawfully issued City permit to construct and/or operate a wireless communications facility.

111.2. "Personal communications services ("PCS")" means those services provided pursuant to 47 C.F.R. § 24 et seq.

112. "Personal services" means services of a personal convenience nature, as opposed to products, sold to individual consumers and include the provision of information, individual instruction, beauty and barber shops, laundry and cleaning services and similar services.

112.1. "Personal wireless service provider (or provider)" means an entity licensed by the FCC to provide personal wireless services to individuals or institutions and who has been issued a permit under Section 15.04.890

112.2. "Personal wireless services" means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services. The services include: cellular services, PCS, specialized mobile radio services, and paging services.

113. "Planned residential group" means two or more grouped residential dwellings that may deviate from standard area, yard, height, parking or fencing requirements, whose design and site layout have been approved through a conditional use permit process by the Planning Commission. (See Section 15.04.910.080D for description of approval process.)

114. "Processing facility" means a building or enclosed space used for the collection and processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-users specification, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing facilities include the following:

a. A light processing facility occupies an area of under 45,000 square feet of gross collection, processing and storage area and has up to an average of two (2) outbound truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.

b. A heavy processing facility is any processing facility other than a light processing facility.

115. "Public hearing" means a noticed meeting where the public is provided an opportunity to comment and file testimony on a matter under consideration prior to official action being taken.

116. "Public utilities, major" means generating plants, electrical substations, switching buildings, refuse collection processing, recycling or disposal facilities, water or waste treatment plants, and similar facilities of public agencies or public utilities.

117. "Public utilities, minor" means utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines and underground water and sewer lines.

117.1. "Radio-frequency emission" means electromagnetic emission in the frequency range of 300 kHz — 300 gigahertz (GHz).

117.2. "Radio-frequency emissions evaluation" means the calculation of radio-frequency emission levels from antennas utilizing the FCC's OET Bulletin 65.

118. "Recreational vehicle" means any vehicle or trailer designed, or modified for use as a camp car, camper, motor home, house car, trailer, trailer coach, boat, boat trailer, snowmobile, snowmobile trailer, camping trailer, or for any similar purpose.

119. "Recyclable material" means recyclable material is reusable material including but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous material as defined in Section 15.04.820.020. Recyclable material may include used motor oil collected and transported in accordance with Sections 25250.11 and 25143.2(b)(4) of the California Health and Safety Code.

120. "Recycling facility" means a center for the collection and/or processing of recyclable materials. A certified recycling facility or certified processor means a recycling facility certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of materials generated by that residential property, business or manufacturer. Recycling facilities may include the following:

a. "Recycling collection facility" means a collection facility for the acceptance by donation, redemption, or purchase of recyclable material from the public. Such a facility does not use power-driven processing equipment except as provided for in particular zoning districts. Collection facilities may include the following:

b. Large Recycling Collection Facility. Occupies an area of more than 500 square feet, or is on a separate property not appurtenant to a host use, and which may include permanent structures.

c. Small Recycling Collection Facility. Occupies an area of not more than 500 square feet and may include a mobile unit; collection box; bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet, kiosk type units which may include permanent structures; unattended containers placed for the donation of recyclable materials.

d. "Reverse vending machine" means an automated mechanical device which accepts at least one or more types of empty beverage containers including,

but not limited to, aluminum cans, glass and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the State. A reverse vending machine may sort and process containers mechanically provided that the entire process is enclosed within the machine.

121. "Religious assembly uses" means the operation of nonsecular facilities, such as churches, temples, synagogues, and related playgrounds, centers and halls for social, educational, religious and recreational activities.

122. "Rooming or boarding house" means any building or portion thereof other than a hotel where lodging is available for permanent occupancy and is provided with or without meals for 5 or more persons for compensation. Definition includes clubs, fraternities and sororities, etc.

123. "Ridge line" means the elongated crest of a slope or line of intersection at the top between opposite slopes.

124. "Satellite dish" means a device incorporating a reflective surface that is solid, open, mesh or bar configured and in the shape of a shallow dish, cone, horn or cornucopia. Such device is used to transmit and/or receive radio or electromagnetic signals to and from an orbiting satellite. This definition is meant to include but is not limited to what are commonly referred to as satellite earth stations, TVROs (television reception only satellite dish antennas) and satellite microwave antennas.

125. "School" means a facility that provides a curriculum of elementary and secondary academic instruction, including kindergartens, elementary schools and secondary (junior high and high) schools.

125.1. "Secondhand dealers" consist of any person, co-partnership, firm, or corporation or other entity whose business includes buying, selling, trading, accepting for sale on consignment, accepting for auctioning, or auctioning secondhand tangible personal property, subject to the definition and exclusions set forth in Business and Professions Code Section 21626. Typical uses include "cash for gold" businesses, pawnbrokers, and pawnshops, but exclude jewelry stores. It does not include people who buy and sell second hand articles as defined and regulated in Chapter 7.60 and close-out sales in Chapter 7.24 of the Richmond Municipal Code, and does not include any business owned and operated by a charitable, nonprofit entity.

126. "Senior housing" means new or rehabilitated dwellings units which are exclusively used by persons of 55 years of age or older and provide common recreational or social facilities.

127. "Setback" means a required, specified distance between a building or structure and a lot line or lines, measured perpendicularly from the lot line or lines in a horizontal plan extending across the complete length of said lot line or lines.

127.1. "Significant gap" means a geographic area of the City of Richmond of at least one acre in which the existing radio frequency signal level of a particular

wireless carrier applying for a permit under Section 15.04.890 of this Code is less than the minimum signal strength required by the FCC. A significant gap must be truly significant and not merely individual dead spots within a greater service area. Gaps in coverage that are less than one acre in area but are claimed by the applicant to be significant shall be proved by clear and convincing evidence. The burden of objectively demonstrating a significant gap rests with the applicant for a permit under Section 15.04.890

128. Single-family Residential. See "dwelling, single-family, attached or detached."

129. "Slope" means the vertical distance divided by the horizontal distance. Slope calculations shall be based on accurate topographic survey maps of the following minimum standards:

(1) For parcels up to 10 acres in size, the map scale shall be not less than one inch equals 50 feet; and

(2) For parcels over 10 acres in size, not less than one inch equals 100 feet. Maximum contour intervals shall conform to the following table:

Slope	Under 5%	5%—20%	Over 20%
Interval	2N	5N	10N

Exclusion of Areas from Slope Calculations. In determining average slope, the applicant may exclude portions of the site. No more than three such portions of a site may be excluded from these calculations. Areas excluded must:

(A) Be delineated using five or fewer straight lines and may in addition include the property line;

(B) Remain undeveloped and a deed restriction assuring this provision, in a form acceptable to the City, must be recorded;

(C) Have a management plan for open spaces developed in consultation with the fire department and a natural open space expert, and approved by the City. The plan shall include but not be limited to: fire fuel control, provision of host plants for wildlife, and protection and enhancement of stream areas.

130. "Standard Industrial Classification (SIC) system" means the classification of establishments by type of activity which is determined by its principal product or group of products produced or distributed, or services rendered. The purpose of the system is to facilitate the collective tabulation, presentation and analysis of data relating to the establishments. This system is detailed in the Federal Office of Management and Budget's Standard Industrial Classification Manual, as amended.

131. "Story" means that portion of a building included between the surface of any floor and the surface of the floor next above except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If there is no floor above it, then the space between such floor and the ceiling next above it shall be considered a story. If the finished floor level directly above a usable or unused under-floor space is more than 6 feet above grade for more than 50 percent of the total perimeter or is more than 12 feet above grade at any point, such usable or unused under-floor space shall be considered as a story.

132. "Street" means any thoroughfare or public way not less than 16 feet in width which has been dedicated or deeded to the public for public use. "Street" includes avenue, court, circle, way, drive, boulevard, highway, road, parkway, and any other thoroughfare, except an alley or lane as defined herein.

a. Minor Streets. For the purposes of this chapter, minor streets shall be defined as all streets having a right-of-way width of 59 feet or less per the standards of the Public Works Department or as designated by the City Council.

b. Collector Streets. For the purposes of this chapter, collector streets shall be defined as all streets having a right-of-way width of 60 feet or more per the standards of the Public Works Department or as designated by the City Council.

132.1. "Structurally able" means the determination that a tower or structure is capable of carrying the load imposed by the proposed antennas under all reasonably predictable conditions as determined by professional structural analysis.

133. "Structure" means anything constructed or erected which requires a location on the ground.

134. "Supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community, where no onsite medical care is provided (See Congregate Care Facility for onsite medical care). Supportive housing shall be subject only to those requirements and restrictions that otherwise apply to the other residential uses of the same type permitted in the same zoning district it is located in (i.e., Single-Family Residential).

135. “Target population” means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Development Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with

children, elderly persons, young adult aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

136. "Temporary use building" means a use or building which will be in existence either seasonal or for a period of 6 months or less.

137. "Tower" means a structure situated on a nonresidential site that is intended for transmitting or receiving television, radio or telephone communications.

138. Townhouse. See "dwelling, single-family, attached."

139. "Trailer" means a vehicle without motor power, designed so that it can be drawn by a motor vehicle, to be used for human habitation or for the transporting of personal property.

140. "Transition zone," also known as the buffer zone, means the area of the Ford Peninsula bounded by I-580 on the north, Harbour Way South on the west, Marina Way South on the east and Hall Avenue on the south excluding the Marina Way Properties, LLC site (Exhibit A Transition/Buffer Zone).

141. "Transitional housing" means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time, that shall be no less than six months from the beginning of the assistance. Transitional housing shall be subject only to those requirements and restrictions that otherwise apply to the other residential uses of the same type permitted in the same zoning district it is located in (i.e. Single-Family Residential).

142. "Truck terminal" means an area or building where cargo is stored and where trucks load and unload cargo on a regular basis.

143. "Use, civic" means a use operated exclusively by a public agency; such use having the purpose of serving the public health, safety, or general welfare.

144. "Use, semipublic" means a use operated by a private nonprofit, educational, religious, cultural, charitable or medical institution; such use having the purpose primarily of serving the general public health, safety and welfare.

145. "Variance" means a discretionary permit allowing a departure from specific provisions of a zoning ordinance such as setbacks, side yards, frontage requirements, and lot size, but not involving the actual use or structure, thus relieving a property owner from strict adherence to development standards when some special circumstances exist which deprive the property owner from developing the property in a manner enjoyed by similar properties.

146. "Video receive-only antenna" means an antenna for the reception of television signals, without transmitting capabilities; may include pole or dish types of antennas.

147. "Wireless communications facility" means any device or system for the transmitting and/or receiving of electromagnetic signals, including but not

limited to radio waves and microwaves, for cellular technology, personal wireless services, mobile services, paging systems and related technologies. Facilities include antennas, microwave dishes, parabolic antennas and all other types of equipment used in the transmission and reception of such signals; structures for the support of such facilities, associated buildings or cabinets to house support equipment, and other accessory development.

148. "Wireless communications tower (or tower)" means any structure intended to support one or more antennas used to transmit and/or receive electromagnetic communications signals, including monopoles, guyed and lattice construction steel structures.

149. "Yard" means open, unoccupied space, other than a court, and unobstructed from the ground to the sky, except where specifically provided by this Code, in the lot on which a building is situated. The classifications of yards are:

a. Front. An area extending across the full width of the lot and lying between the front lot line and a line parallel thereto, and having a distance between them equal to the required front yard depth as prescribed in each zoning district. Front yards shall be measured by a line at right angles to the front lot line, or by the radial line in the case of a curved front lot line. For corner lots, the front yard shall be established as the area extending across the narrowest width of the lot.

b. Interior. A ground level rear yard or side yard open, surrounded full or in part by structure, effectively separated from vehicular circulation and parking. On steeply sloped parcels a deck located with one end at or near ground level in accordance with the provisions of Section 15.04.830 may be counted as interior yard space.

c. Rear. A yard extending across the full width of the lot between the rear lot line and the nearest line or point of the main building.

d. Side. An area extending from the front yard, or from the front lot line where no front yard is required by the ordinance codified in this chapter, to the rear yard, or rear lot line, between a side lot line and the side yard setback line.

150. "Zoning map" means a map or maps which are a part of the zoning ordinance and delineate the boundaries of zone districts.

151. "Zoning ordinance" means the municipally adopted law or regulations that divides the City into districts and establishes a set of regulations governing the use, placement, spacing and size of land and buildings as set forth in this chapter of the City of Richmond's Municipal Code.

(Amended by Ordinance Nos. 37-96 N.S., 15-97 N.S., 31-97 N.S., 03-02 N.S., 9-04 N.S., 8-08 N.S. and 18-08 N.S.)

(Ord. No. 24-09 N.S., § 1, 7-21-2009; Ord. No. 26-09 N.S., § I, 7-28-2009; Ord. No. 9-10 N.S., § I, 2-16-2010; Ord. No. 08-11 N.S., § I, 3-1-2011; Ord. No. 3-14 N.S., § 2, 3-18-2014)

SECTION II. Sections 15.04.100 through 15.04.250 of the Richmond Municipal Code is hereby amended as follows **(~~strikeout text~~ indicates deletion; underline text indicates insertion)**:

ARTICLE 15.04.100 - RESIDENTIAL ZONING DISTRICTS

15.04.110 - SFR-1-single-family rural residential district.

15.04.110.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.
Single-family residential
Second dwelling units
Supportive housing
Transitional housing

Agricultural Uses.
Landscape and horticultural services

Civic, Public and Semipublic Uses.
Congregate care, limited*
Day care home, limited and general*
Emergency shelters **

Commercial Uses.
Home occupations

Industrial Uses.
Public utilities, minor

* Primary use of property remains residential.

** For 10 beds or fewer only.

15.04.110.040 Conditional Uses. The following uses may be permitted by conditional use permit and must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses.
Planned residential groups

Agricultural Uses.
General farms, primarily crops

Civic, Public and Semipublic Uses.
Community centers
Congregate care, general
Day care center
Elementary and secondary schools
Public safety facilities
Religious assembly

Commercial Uses.
Convenience stores
Hotels and other lodging places: bed and breakfast inns
Kennels
Medical and dental offices***
Membership organizations, clubs and lodges

Industrial.
Public utilities, major

Open Space and Recreational Uses.
Parks, open spaces and trails

Temporary Uses.
Arts and crafts shows, outdoors
Circuses and carnivals
Flea markets/swap meets, nonrecurring
Live/entertainment and events
Outdoor exhibits
Recreation events
Religious assembly
Retail sales, outdoors
Seasonal sales lots, for example, Christmas trees and pumpkins
Street fairs
Trade fairs

*** Permitted as a transitional use within a residential structure.

15.04.120 - SFR-2-single-family very low density residential district.

15.04.120.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.
Single-family residential
Second dwelling units
Supportive housing
Transitional housing

Civic, Public and Semipublic Uses.
Congregate care, limited*
Day care home, limited and general*
Emergency shelters **

Commercial Uses.
Home occupations
Industrial Uses.
Public utilities, minor

* Primary use of property remains residential.

** For 10 beds or fewer only.

15.04.120.040 Conditional Uses. The following uses may be permitted by conditional use permit and must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses.
Planned residential groups

Agricultural Uses.
General farms, primarily crops
Landscape and horticultural services

Civic, Public and Semipublic Uses.
Community centers
Congregate care, general
Day care center
Elementary and secondary schools
Public safety facilities
Religious assembly

Commercial Uses.
Convenience stores
Hotels and other lodging places: bed and breakfast inns
Kennels
Medical and dental offices***
Membership organizations, clubs and lodges
Open Space and Recreational Uses.
Parks, open space and trails

Industrial Uses.
Public utilities, major

Temporary Uses.

Arts and crafts shows, outdoors
Circuses and carnivals
Flea markets/swap meets, nonrecurring
Live entertainment and events
Outdoor exhibits
Recreation events
Religious assembly
Retail sales, outdoors
Seasonal sales lots, for example Christmas trees and pumpkins
Street fairs
Trade fairs

*** Permitted as a transitional use within a residential structure.

15.04.130 - SFR-3-single-family low density residential district.

15.04.130.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.
Single-family residential
Second dwelling units
Supportive housing
Transitional housing

Civic, Public and Semipublic Uses.
Community centers
Congregate care, limited*
Day care home, limited and general*
Emergency shelters **

Commercial Uses.
Home occupations

Industrial Uses.
Public utilities, minor

Temporary Uses.
Street fairs

* Primary use of property remains residential.

** For 10 beds or fewer only.

15.04.130.040 Conditional Uses. The following uses may be permitted by conditional use permit and must comply with all the terms and conditions of the permit

as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses.
Duplexes
Planned residential groups

Agricultural Uses.
Landscape and horticultural services
(Includes existing nurseries)

Civic, Public and Semipublic Uses.
Congregate care, general
Day care center
Elementary and secondary schools
Public safety facilities
Religious assembly

Commercial Uses.
Convenience stores
Hotels and other lodging places: bed and breakfast inns
Medical and dental offices***
Membership organizations, clubs and lodges

Industrial Uses.
Public utilities, major
Open Space and Recreational Uses.
Parks, open space and trails

Temporary Uses.
Arts and crafts shows, outdoors
Circuses and carnivals
Flea markets/swap meets, nonrecurring
Live entertainment and events
Outdoor exhibits
Recreation events
Religious assembly
Retail sales, outdoors
Seasonal sales lots, for example, Christmas trees and pumpkins
Trade fairs

*** Permitted as a transitional use within a residential structure.

15.04.140 - MFR-1-multifamily residential district.

15.04.140.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.
Single-family residential
Duplexes
Multifamily residential
Second dwelling units
Supportive housing
Transitional housing

Civic, Public and Semipublic Uses.
Community centers
Congregate care, limited*
Day care home, limited and general*
Emergency shelters **

Commercial Uses.
Home occupations

Industrial Uses.
Public utilities, minor

Temporary Uses.
Street fairs

* Primary use of property remains residential** For 10 beds or fewer only.

15.04.140.040 Conditional Uses. The following uses may be permitted by conditional use permit and must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses Planned.
Residential Group

Agricultural Uses.
Landscape and horticultural services

Civic, Public and Semipublic Uses.
Colleges, universities, vocational schools, and educational facilities
Congregate care, general
Day care center
Elementary and secondary schools
Public safety facilities
Religious assembly

Commercial Uses.
Convenience stores
Automobile service station

Hotels and other lodging places: bed and breakfast inns
Medical and dental offices***
Membership organizations, clubs and lodges

Industrial Uses.
Public utilities, major

Open Space and Recreational Uses.
Parks, open space and trails

*** Permitted as a transitional use within a residential structure.

15.04.150 - MFR-2-multifamily medium density residential district.

15.04.150.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.
Single-family residential
Duplexes
Multifamily residential
Second dwelling units
Supportive housing
Transitional housing

Civic, Public and Semipublic Uses.
Community centers
Congregate care, limited*
Day care home, limited and general*
Emergency shelters **
Commercial Uses.
Home occupations

Industrial Uses.
Public utilities, minor

Temporary Uses.
Arts and crafts shows, outdoors
Outdoor exhibits
Street fairs

* Primary use of property remains residential** For 10 beds or fewer only.

15.04.150.040 Conditional Uses. The following uses may be permitted by conditional use permit and must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses.
Senior housing
Planned residential group

Civic, Public and Semipublic Uses.
Colleges, universities, vocational schools and educational facilities
Congregate care, general
Day care center
Elementary and secondary schools
Hospitals
Public safety facilities
Religious assembly

Commercial Uses.
Business services
Convenience stores
Automobile service station
Engineering, management, public administration and related offices and services
hotels and other lodging places:
bed and breakfast inns
rooming and boarding houses
Medical and dental offices***
Membership organizations, clubs and lodges
Industrial Uses.
Public utilities, major

Open Space and Recreational Uses.
Parks, open space and trails
Temporary Uses.
Circuses and carnivals
Flea markets/swap meets, nonrecurring
Live entertainment events
Recreation events
Retail sales, outdoors
Seasonal sales lots, for example, Christmas trees and pumpkins
Trade fairs
Religious assembly

*** Permitted as a transitional use within a residential structure.

15.04.160 - MFR-3-multifamily high density residential district.

15.04.160.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.
Single-family residential
Duplexes
Multifamily residential
Second dwelling units
Supportive housing
Transitional housing

Civic, Public and Semipublic Uses.
Community centers
Congregate care, limited*
Day care home, limited and general*
Elementary and secondary schools
Emergency shelters **

Commercial Uses.
Home occupations
Industrial Uses.
Public utilities, minor

Temporary Uses.
Arts and crafts shows, outdoors
Outdoor exhibits
Religious assembly
Street fairs

* Primary use of property remains residential** For 10 beds or fewer only.

15.04.160.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses.
Senior housing
Planned residential groups

Civic, Public and Semipublic Uses.
Colleges, universities, vocational schools, and educational facilities
Congregate care, general
Hospitals
Public safety facilities
Religious assembly

Commercial Uses.

Business services
Convenience stores
Engineering, management, public administration and related offices and services
Hotels and other lodging places:
bed and breakfast inns
hotels or motels
rooming and boarding houses
Medical and dental offices***
Membership organizations, clubs and lodges

Industrial Uses.
Public utilities, major

Open Space and Recreational Uses.
Parks, open space and trails
Flea markets/swap meets, nonrecurring

Temporary Uses.
Live entertainment events
Recreation events
Retail sales, outdoors
Seasonal sales lots, for example Christmas trees and pumpkins
Trade fairs

*** Permitted as a transitional use within a residential structure.

15.04.170 - MFR-4-multifamily very high density residential district.

15.04.170.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Residential Uses.
Single-family residential
Duplexes
Multifamily residential
Second dwelling units
Supportive housing
Transitional housing

Civic, Public and Semipublic Uses.
Community centers
Congregate care, limited*
Day care home, limited and general*
Elementary and secondary schools
Emergency shelters **

Commercial Uses.
Home occupations

Industrial Uses.
Public utilities, minor

Temporary Uses.
Arts and crafts shows, outdoors
Outdoor exhibits
Religious assembly
Street fairs

* Primary use of property remains residential.

** For 10 beds or fewer only.

15.04.170.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Residential Uses.
Senior housing
Planned residential groups

Civic, Public and Semipublic Uses.
Colleges, universities, vocational schools, and educational facilities
Congregate care, general
Hospitals
Public safety facilities
Religious assembly

Commercial Uses.
Business services
Convenience stores
Engineering, management, public administration and related offices and services
Hotels and other lodging places:
  bed and breakfast inns
  hotels or motels
  rooming and boarding houses
Medical and dental offices***
Membership organizations, clubs and lodges

Industrial Uses.
Public utilities, major

Open Space and Recreational Uses.
Parks, open space and trails
Flea markets/swap meets, nonrecurring

Temporary Uses.
Live entertainment events
Recreation events
Retail sales, outdoors
Seasonal sales lots, for example Christmas trees and pumpkins
Trade fairs

*** Permitted as a transitional use within a residential structure.

ARTICLE 15.04.200 - COMMERCIAL ZONING DISTRICTS

15.04.210 - C-1-neighborhood commercial district.

15.04.210.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Commercial Uses—Retail Sales.
Food stores:*
retail bakers, meat, fish, fruit and vegetable markets, miscellaneous food stores

Commercial Uses—Retail Services.
Business services
Engineering, management and public administration and related offices and services
Hotels and other lodging places:
bed and breakfast inns
Medical and dental offices
Personal services:
beauty salons
barber shops
laundry services
photo studios
shoe repair
Real estate, insurance agents, brokers and services

Residential Uses.
Residential uses permitted in the MFR-2-medium density residential district
Live/work
Open Space and Recreational.
Parks, open space and trails

Civic, Public and Semipublic Uses.
Community centers
Congregate care, limited
Day care center
Day care home, limited and general
Government services

Religious assembly
Industrial Uses.
Public utilities, minor
Recycling facilities:
reverse vending machines

Temporary Uses.
Arts and crafts shows, outdoors

Seasonal sales lots, for example, Christmas trees and pumpkins
Street fairs

* Off-premises sale of alcoholic beverages requires approval of a conditional use permit.

15.04.210.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.
Convenience stores
Food stores:
groceries/supermarkets
Home and garden supply stores
Kennels
Liquor stores
Miscellaneous retail stores
Specialty retail, for example, antiques, jewelry and sporting goods
Used merchandise stores

Industrial Uses.
Recycling Facilities:
small collection facility

Retail Services.
Amusement/recreational services:
dance/art studios
miscellaneous amusement services
Auto parking service
Auto repair (within a completely enclosed building)
Banks/depository institutions
Bars
Eating establishment
Eating establishment (fast food)
Eating establishment with alcoholic beverage sales
Gasoline service stations
Hotels and other lodging places:
rooming and boarding houses
Massage establishments
Medical and dental clinics
Membership organizations, clubs and lodges
Miscellaneous repair services

Civic, Public and Semipublic Uses.
Colleges, universities, vocational schools, educational facilities
Congregate care, general
Elementary and secondary schools
Hospitals
Museum, botanical, zoological, garden and cultural centers
Public safety facilities

Temporary Uses.
Circuses and carnivals
Flea markets/swap meets, nonrecurring
Live entertainment events
Outdoor exhibits
Recreation events
Religious assembly
Retail sales, outdoor
Trade fairs

15.04.220 - C-2-general commercial district.

15.04.220.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.
Automotive dealers, excluding on-site service or repair facility and amplified notification system
Auto supply stores
Building materials, home and garden supply stores:
    hardware stores
    nurseries and garden supply stores
Domestic animals sales and services:
    grooming
    retail sales
Food stores:*
    grocery stores
    retail bakers, meat, fish, fruit and vegetable markets, miscellaneous food stores
Furniture and home furnishing stores:
    computer and computer software stores
    record and tape stores
General merchandise stores
Miscellaneous retail stores
Non-store retailers:
    catalog and mail-order houses
Retail Services.
Business services

Engineering, management, public administration and related offices and services
Medical and dental offices
Miscellaneous repair services
Personal services:
beauty salons
barber shops
laundry services, includes dry cleaning and pressing
photo studios
Shoe repair
Real estate, insurance agents, brokers and services
Transportation services:
travel agencies

Residential Uses.
Residential uses permitted in the MFR-2-medium density residential district
Live/work

Civic, Public and Semipublic Uses.
Community centers
Congregate care, limited
Day care center
Day care, limited and general
Elementary and secondary schools
Government services

Religious assembly

Agricultural Uses.
Landscape and horticultural services

Open Space and Recreational Uses.
Parks, open space and trails

Industrial Uses.
Public utilities, minor
Recycling facilities:
reverse vending machines

Temporary Uses.
Arts and crafts shows, outdoors
Circuses and carnivals
Religious assembly
Seasonal sales lots, for example, Christmas trees and pumpkins

* Off-premises sale of alcoholic beverages requires approval of a conditional use permit.

15.04.220.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.
Automotive, camper dealers with on-site service or repair facility and amplified notification system
Convenience stores
Domestic animal sales and services:
clinics/hospitals
Food stores:
supermarkets
Furniture and home furnishing stores
Kennels
Liquor stores
Secondhand dealers

Retail Services.
Amusement/recreational services:
dance/art studios
miscellaneous amusement services
Auto parking services
Auto repairs (within completely enclosed buildings)
Banks/depository institutions
Bars
Commercial filming and recording studios
Eating establishment
Eating establishment (fast food)
Eating establishment with alcoholic beverage sales
Live entertainment
Funeral home/chapel
Gasoline service stations
Hotels and other lodging places:
bed and breakfast inns
hotels or motels
rooming and boarding houses
Massage establishments
Medical and dental clinics
Membership organizations, clubs and lodges
Nondepository institutions, for example, check cashing
Personal services

Civic, Public and Semipublic Uses.
Colleges, universities, vocational schools, educational facilities

Congregate care, general
Hospitals
Public safety facilities

Industrial Uses.
Public utilities, major
Recycling facilities:
small collection facility
large collection facility
Special trade contractors:
carpentry
electrical
plumbing, heating, air conditioning

Temporary Uses.
Flea markets/swap meets, nonrecurring
Live entertainment events
Outdoor exhibits
Recreational events
Retail sales, outdoors
Street fairs
Trade fairs

The following additional uses may be permitted by conditional use permit when located adjacent to shoreline areas. Uses must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Commercial Uses.
Boat dealers
Canvas shop
Marinas
Sail making and repairs
Ship chandlery

15.04.230 - C-3-regional commercial district.

15.04.230.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.
Automotive, boat, camper dealers
Building materials, home and garden supply stores
Convenience stores*
Domestic animals sales and services:
clinics/hospitals

grooming
retail sales
Food stores:*
grocery stores/supermarkets
retail bakers, meat, fish, fruit and vegetable markets
miscellaneous food stores
Furniture and home furnishings stores
General merchandise stores
Miscellaneous retail stores
Non-store retailers:
catalog and mail order houses
Specialty retail stores

Retail Services.
Amusement/recreational services:
concert, orchestra, movie or theatrical halls/ auditoriums
dance/art studios, schools and halls
Auto parking services
Banks, depository institutions
Business services
Commercial filming and recording studios
Eating establishments
Engineering, management, public administration and related offices and services
Hotels and other lodging places:
bed and breakfast inns
hotels or motels
Medical and dental offices and clinics
Membership organizations, clubs and lodges
Nondepository institutions, for example, check cashing
Miscellaneous repair services
Personal services
Real estate, insurance agents, brokers and services
Residential Uses as Part of a Mixed-Use Development.
Residential uses as permitted in the MFR-2-medium density residential district
Live/work

Civic, Public and Semipublic Uses.
Colleges, universities, vocational schools and educational facilities
Community centers
Day care center
Day care, limited and general
Elementary and secondary schools
Government services
Museum, botanical, zoological, garden and cultural centers
Public safety facilities

Religious assembly

Agricultural Uses.
Landscape and horticultural services

Open Space and Recreational Uses.
Parks, open space and trails

Industrial Uses.
Printing and publishing
Public utilities, minor
Recycling facilities:
reverse vending machines

Temporary Uses.
Arts and crafts shows, outdoor
Circuses and carnivals
Outdoor exhibits
Religious assembly
Seasonal sales lots, for example, Christmas trees and pumpkins

* Off-premises sale of alcoholic beverages requires approval of a conditional use permit.

15.04.230.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.
Domestic animals sales and services:
boarding
Kennels
Liquor stores
Secondhand dealers
Used merchandise stores

Retail Services.
Amusement/recreational services:
commercial sports
miscellaneous amusement services
Auto repairs (within completely enclosed buildings)
Bars
Commercial filming and recording studios
Eating establishment (fast food)

Eating establishment with alcoholic beverage sales
Funeral home/chapel
Gasoline service stations
Hotels and other lodging places:
    rooming and boarding houses
Live entertainment
Massage establishments

Civic, Public and Semipublic Uses.
Congregate care, limited and general
Correctional and rehabilitation facilities
Hospitals

Industrial Uses.
Public utilities, major
Recycling facilities:
    small collection facility
    large collection facility
Special trade contractors:
    carpentry
    electrical
    plumbing, heating, air conditioning

Temporary Uses.
Flea markets/swap meets
Live entertainment events
Recreation events
Retail sales, outdoor
Street fairs
Trade fairs

15.04.240 - C-B-central business district.

15.04.240.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.
Building materials, home and garden supply stores
Convenience stores*
Food stores:*
    grocery stores/supermarkets
    retail bakers, meat, fish, fruit and vegetable markets, miscellaneous food stores
Furniture and home furnishings stores
General merchandise stores
Miscellaneous retail stores

Non-store retailers:
catalog and mail order houses
Specialty retail stores

Retail Services.
Amusement/recreational services:
concert, orchestra, movie or theatrical halls/auditoriums
dance/art studios, schools and halls
Auto parking services
Banks/depository institutions
Business services
Eating and drinking establishments, except fast food with drive-through
Engineering, management, public administration and related offices and services
Medical, dental offices and clinics
Miscellaneous repair services
Personal services
Real estate, insurance agents, brokers and services

Residential Uses.
Residential uses permitted in the MFR-2-medium density residential district
Live/work

Industrial Uses.
Printing and publishing
Public utilities, minor

Temporary Uses.
Arts and crafts shows, outdoors
Religious assembly

Civic, Public and Semipublic Uses.
Emergency shelters

* Off-premises sale of alcoholic beverages requires approval of a conditional use permit.

15.04.240.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.
Automotive, boat, camper dealers
Domestic animals sales and services:
grooming

retail sales
Kennels
Liquor stores
Used merchandise stores

Retail Services.
Amusement/recreational services:
commercial sports
miscellaneous amusement services
Auto repair (within completely enclosed buildings)
Bars
Commercial filming and recording studios
Eating establishment
Eating establishment (fast food)
Eating establishment with alcoholic beverage sales
Funeral home/chapel
Gasoline service stations
Hotels and other lodging places:
bed and breakfast inns
hotels or motels
rooming and boarding houses
Live entertainment
Massage establishments
Membership organizations, clubs and lodges
Nondepository institutions, for example, check cashing

Civic, Public and Semipublic Uses.
Congregate care, limited and general
Hospitals
Colleges, universities, vocational schools and educational facilities
Community centers
Day care center
Day care, limited and general
Elementary and secondary schools
Government services
Museum, botanical, zoological, garden and cultural centers
Public safety facilities
Religious assembly

Industrial Uses.
Public utilities, major
Recycling facilities:
small collection facility
large collection facility
Special trade contractors:
carpentry

Electrical
Plumbing, heating, air conditioning

Temporary Uses.
Circuses and carnivals
Flea markets/swap meets, nonrecurring
Live entertainment events
Outdoor exhibits
Recreation events
Retail sales, outdoor
Seasonal sales lots, for example, Christmas trees and pumpkins
Trade fairs

15.04.250 - C-C-coastline commercial district.

15.04.250.020 Permitted Uses. The following uses shall be permitted. Similar uses may be permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Services.
Bait shops
Business services
Sail makers and ship chandlers
Marine supply stores

Residential Uses.
Live/work

Open Space and Recreational Uses.
Marinas, public or private
Parks, open space and trails

Civic, Public and Semipublic Uses.
Aquariums
Museum, botanical, zoological, garden and cultural centers
Boat club facilities
Industrial Uses.
Public utilities, minor
Recycling facilities:
reverse vending machines

Agricultural Uses.
Commercial fishing
Fish hatcheries and preserves

15.04.250.040 Conditional Uses. The following uses may be permitted by conditional use permit and then must comply with all the terms and conditions of the permit as provided for in Section 15.04.910. Similar uses may be conditionally permitted by interpretation of the Planning Director or designee.

Commercial Uses.

Retail Sales.
Boat dealers and supply stores
Building materials, home and garden supply stores
Convenience stores*
Food stores:*
retail bakers, meat, fish, fruit and vegetable markets, grocery stores/supermarkets
Liquor stores

Retail Services.
Bars
Eating establishment
Eating establishment (fast food)
Eating establishment with alcoholic beverage sales
Gasoline service stations
Hotels and other lodging places:
bed and breakfast inns
hotels or motels
Live entertainment
Massage establishments
Membership organizations, clubs and lodges
Miscellaneous repair services
Nondepository institutions, for example, check cashing

Residential Uses.
Residential uses permitted in MFR-2-medium density residential district
Floating homes

Civic, Public and Semipublic Uses.
Colleges, universities, vocational schools and educational facilities
Community centers
Congregate care, limited and general
Day care, limited and general
Elementary and secondary schools
Government services, related to port uses
Public safety facilities
Religious assembly

Agricultural Uses.
Landscape and horticultural services

Industrial Uses.
Public utilities, major
Recycling facilities:
small collection facility
large collection facility

Temporary Uses.
Arts and crafts show, outdoors
Circuses and carnivals
Flea markets/swap meets, nonrecurring
Live entertainment events
Outdoor exhibits
Recreation events
Religious assembly
Retail sales, outdoor
Seasonal sales lots, for example, Christmas trees and pumpkins
Street fairs
Trade fairs

* Off-premises sale of alcoholic beverages requires approval of a conditional use permit.

SECTION III. Sections 15.04.810.040 of the Richmond Municipal Code is hereby amended as follows **(~~strikeout text~~ indicates deletion; <u>underline text</u> indicates insertion)**:

15.04.810.040 – Emergency Shelters.

This section is intended to provide objective development and management standards for emergency shelters in the City of Richmond.

Where allowed by Articles 15.04.100 – 15.04.200, emergency shelters shall comply with the requirements of this Section. For the purposes of this Section, emergency shelter has the same meaning as defined in Section 15.04.020 of this Code (Definitions) and does not refer to emergency shelters set up for disaster relief.

A. Purpose. The following requirements are to implement the programs in the 2013 Housing Element, ensure compliance with Section 65583 of the Government Code, and meet the emergency shelter needs of the community.

B. Applicability. Where allowed by Articles 15.04.100 – 15.04.200, an emergency shelter is a permitted use. A Conditional Use Permit is required for an emergency shelter that does not comply with the standards of this Section.

C. Proximity to Other Shelters. No emergency shelter shall be closer than 300 feet to another emergency shelter.

D. Facility requirements. Each emergency shelter shall include, at a minimum, the following:

   1. A courtyard or other on-site area for outdoor client congregation, so that clients waiting for services are not required to use the public sidewalk for queuing;
   2. On-site management during hours of operation when clients are present and a manager's area. The manager's area shall be located near the entry to the facility; and,
   3. Lighting in or on an emergency shelter shall be stationary, directed away from adjacent properties and public right-of-way, and of an intensity that is consistent with existing lighting in the neighborhood in which the shelter is located.

E. Maximum number of beds. No more than 10 beds shall be provided in any single emergency shelter located in a residential zone and no more than 50 beds shall be provided in any single emergency shelter located within the C-B, Central Business District, except:

   1. In response to a disaster; or
   2. As authorized by a Conditional Use Permit approved by the Planning Commission.

F. Bicycle Parking. An emergency shelter shall provide at least one bicycle space for every five beds.

G. Vehicle Parking. An emergency shelter shall provide one parking space for every four beds and one additional parking space for every ten beds, or a minimum of ten parking spaces per shelter, whichever is the larger number.

SECTION IV. **Severability**. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, the remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, paragraph, sentence, clause or phrase.

SECTION V. **Effective Date**. All applications filed after or pending upon the date of final passage and adoption of this Ordinance shall be subject to this Ordinance. This Ordinance becomes effective thirty (30) days after its final passage and adoption.

First introduced at a regular meeting of the City Council of the City of Richmond held _____. Passed and adopted on _____ by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

_____

CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

_____

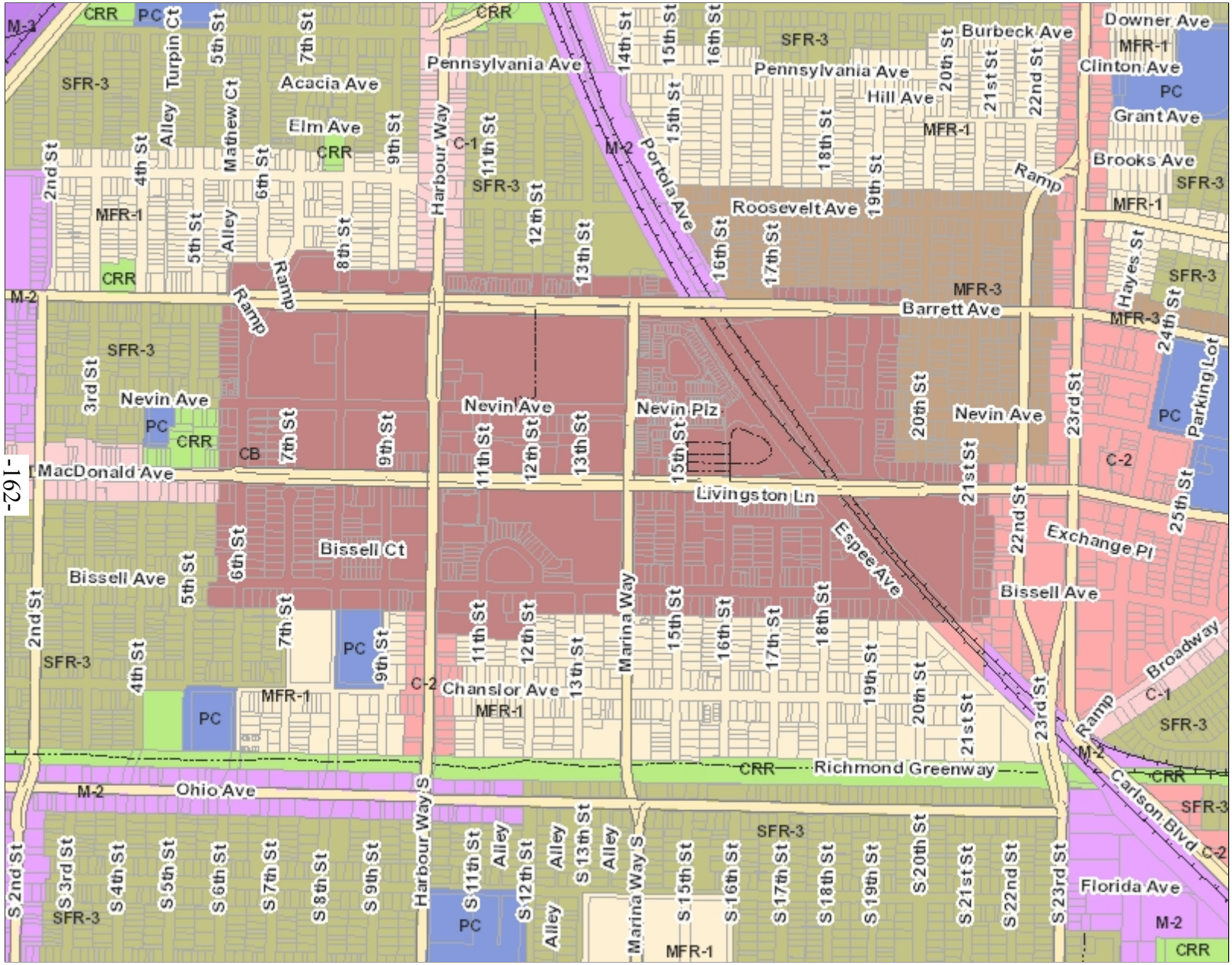
Mayor

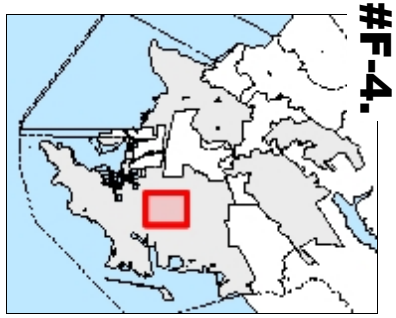
Approved as to form:

_____

City Attorney

City of Richmond





Legend

- Street Labels
- Other Roads and Trails
  - Primary Highway
  - Primary Road
  - Vehicular Trail
  - Access Ramp
  - Special Road
  - Unnamed Road
  - Trail
  - Driveway
  - Parking Lot
- Railroads
- Parcel
- Zoning
  - C-1
  - C-2
  - C-3
  - CB
  - CC
  - CRR
  - EA
  - M-1
  - M-2
  - M-3
  - M-4
  - MFR-1

1: 9,834

0.3 0 0.16 0.3 Miles

© City of Richmond

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

AGENDA ITEM REQUEST FORM

Department: Mayor's Office **Department Head:** Tom Butt **Phone:** 620-6503

Meeting Date: **5/19/2015** **Final Decision Date Deadline:**_____

STATEMENT OF THE ISSUE: The Mayor is required to appoint Councilmembers to Regional Committees, Ad Hoc Committees and Liaison positions to City Boards and Commissions.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐**Other**_____

ITEM Councilmember appointments to committees and liaison positions.

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☒ **Other** CONSENT CALENDAR

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: APPROVE appointments and updates to the 2015 appointments to Regional Committees, Ad Hoc Committees and Liaison Positions - Mayor Tom Butt (620-6503).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

F-5.

AGENDA REPORT

MAYOR'S OFFICE

DATE: May 19, 2015

TO: Members of the City Council

FROM: Tom Butt, Mayor

SUBJECT: Councilmember appointments to committees and liaison positions.

STATEMENT OF THE ISSUE:

The Mayor is required to appoint Councilmembers to Regional Committees, Ad Hoc Committees and Liaison positions to City Boards and Commissions.

RECOMMENDED ACTION:

APPROVE appointments and updates to the 2015 appointments to Regional Committees, Ad Hoc Committees and Liaison Positions.

FINANCIAL IMPACT:

There are no financial impacts related to this item.

DISCUSSION:

The following appointments and updates include the resignation of Councilmember McLaughlin from the WCCUSD/City Coordination Ad Hoc Committee.

Ad Hoc Committees

WCCUSD/City Coordination Ad Hoc Committee: Councilmember Pimplé, Member

Boards, Commissions and Committee Liaisons

Economic Development Commission: Councilmember Pimplé, Liaison

ATTACHMENTS:

List of City Council appointments

2015 Appointments to Regional Committees, Ad Hoc Committees and Liaison Positions

Updated: May 19, 2015 Council Meeting

Regional Committees

West County Integrated Waste Management
Members: Martinez, Beckles and Myrick
Alternate: Bates

West Contra Costa Transportation Advisory Committee (WCCTAC)
Members: Butt, McLaughlin and Pimplé
Alternate: Martinez

West County Agency
(JPA between the City of Richmond and the West County Wastewater District)
Members: Bates and Martinez
Alternate: Myrick

East Bay Regional Parks
Members: Martinez and Butt
Alternate: McLaughlin

North Richmond Mitigation Fee Joint Committee
Members: McLaughlin, Martinez and Beckles
Alternate: Bates

Gilman Street Sport Complex
Members: Martinez
Alternate: Bates

ABAG Representative
Members: Butt
Alternate: Martinez

MEA Representative
Members: Butt
Alternate: McLaughlin

South Shoreline CAG
Members: McLaughlin
Alternate: Beckles

League of CA Cities East Bay Division
Members: Pimple
Alternate:

Ad Hoc Committees

NURVE Policy Ad Hoc Committee
Members: Martinez
Alternate: McLaughlin

Chevron Modernization Ad Hoc Committee
Members: Butt and McLaughlin
Alternate: Myrick

City/County Industrial Safety Ordinance Ad Hoc Committee
Members: McLaughlin and Beckles
Alternate: Martinez

WCCUSD/City Coordination Committee
Members: Martinez, Myrick and Pimplé
Alternate: Beckles

Boards, Commissions and Committee Liaisons:
Arts and Culture Commission: McLaughlin

Richmond Youth Council: Beckles

Commission on Aging: Bates

Design Review Board: Martinez

Economic Development Commission: Pimplé

Housing Advisory Board: Pimplé

Human Rights and Relations Commission: Pimplé

Library Commission: Martinez

Personnel Board: Pimplé

Police Commission: Myrick

Point Molate Community Advisory Committee: Martinez

Recreation and Parks Commission: Beckles

Richmond Shimada Friendship Commission: Martinez

Richmond Zhoushan Friendship Commission: Bates

Richmond Regla Friendship Committee: McLaughlin

Workforce Investment Board: Pimplé

Liaison positions DO NOT necessitate attending any or all the meetings

AGENDA ITEM REQUEST FORM

Department: Mayor's Office **Department Head:** Tom Butt **Phone:** 620-6503

Meeting Date: **5/19/2015** **Final Decision Date Deadline:**_____

STATEMENT OF THE ISSUE: It is the responsibility of the Mayor to appoint members of the City Council as liaisons to the various bodies. There is not a written policy in place describing the role of Council liaisons and therefore it is necessary to have a formal definition to provide clarity and ensure liaisons are effective in their role.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐**Other**_____

ITEM A Resolution defining the role of City Councilmember liaison positions

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☐ **Other** _____

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☒ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: ADOPT a resolution defining the role of City Council members appointed to serve as liaisons for City boards, commissions and committees - Mayor Tom Butt (620-6503).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

F-6.

AGENDA REPORT

MAYOR'S OFFICE

DATE: May 19, 2015

TO: Members of the City Council

FROM: Tom Butt, Mayor

SUBJECT: A Resolution defining the role of City Councilmember liaison positions

STATEMENT OF THE ISSUE:

It is the responsibility of the Mayor to appoint members of the City Council as liaisons to the various bodies. There is not a written policy in place describing the role of Council liaisons and therefore it is necessary to have a formal definition to provide clarity and ensure liaisons are effective in their role.

RECOMMENDED ACTION:

ADOPT a resolution defining the role of City Council members appointed to serve as liaisons for City boards, commissions and committees.

FINANCIAL IMPACT:

There are no financial impacts related to this item.

DISCUSSION:

Boards, commissions and committees are important in that they enable citizens to participate in Richmond's governing processes. Their activities help shape and influence public policy by lending a diverse set of viewpoints for the City Council to consider. This resolution establishes guidelines for all City Councilmember appointed liaisons to boards, commissions and committees with the goal of clarifying and providing direction to the roles and responsibilities of each liaison.

ATTACHMENTS:

Resolution

RESOLUTION NO.____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF RICHMOND DEFINING THE ROLE OF CITY COUNCIL MEMBERS APPOINTED TO SERVE AS LIAISONS FOR CITY BOARDS, COMMISSIONS AND COMMITTEES

WHEREAS, members of the City Council may be appointed or removed by the Mayor at the Mayor's discretion to serve as liaisons to specific City of Richmond boards, commissions or committees (bodies), which have been recognized by the City Council and formed by resolution, ordinance and/or by charter; and

WHEREAS, the role of the liaisons has not been formally established by any resolution or ordinance of the City of Richmond; and

WHEREAS, City Council liaisons to City of Richmond boards, commissions and committees help facilitate open and efficient communication with the City Council, and the public regarding discussions and issues being addressed by the body.

THEREFORE, BE IT RESOLVED that the Mayor and the City Council of the City of Richmond herby define the role of City Council liaisons for City of Richmond boards, commissions, and committees as follows:

- The liaison is to facilitate communication between the body and the City Council. The liaison may, for example, deliver policy recommendations from the body to the City Council, introduce legislation recommended by the body to the City Council or report other matters of interest to the City Council.
- The liaison may also report to the body items of interest relating to City Council actions or discussions.
- The liaison is not a member of the body to which they are appointed, and is neither expected nor required to attend all meetings of the body but may do so at their discretion.
- The liaison has no extraordinary authority to participate in meetings or be involved in deliberations on items under consideration of the body.

AGENDA ITEM REQUEST FORM

Department: City Manger's Office **Department Head:** Bill Lindsay **Phone:** 510-620-6512

Meeting Date: **5/19/2015** **Final Decision Date Deadline:** 5/19/2015

STATEMENT OF THE ISSUE: The Richmond Tourism Business Improvement District (RTBID) is proposed to be reformed as the Richmond Tourism Marketing District (RTMD), a form of business improvement district, pursuant to State law. The District will be funded by the existing $2.00 per paid occupied room per night for lodging establishments with fifty (50) rooms or less, and $2.50 per paid occupied room per night for lodging establishments with fifty-one (51) rooms or more. There is no change to the assessment resulting from the reformation, nor is there an impact on the General Fund. Council previously adopted a Resolution of Intention to begin the reformation process, held a public meeting regarding the new RTMD, and adopted a Resolution of Intention to disestablish the RTBID. This agenda item is the next step in this process.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐ **Other____**

ITEM _____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☒ **Ordinance** ☐ **Other** _____

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: INTRODUCE an ordinance (first reading) to disestablish the Richmond Tourism Business Improvement District, which is being reformed as the Richmond Tourism Marketing District (RTMD), a form of business improvement district, pursuant to State law – City Manager's Office (Bill Lindsay/Janet Johnson 620-6512).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

F-7.

AGENDA REPORT

City Manager's Office

DATE: May 19, 2015

TO: Mayor Butt and Members of the City Council

FROM: Bill Lindsay, City Manager

SUBJECT: INTRODUCTION OF AN ORDINANCE TO DISESTABLISH THE RICHMOND TOURISM BUSINESS IMPROVEMENT DISTRICT

STATEMENT OF THE ISSUE:

The Richmond Tourism Business Improvement District (RTBID) is proposed to be reformed as the Richmond Tourism Marketing District (RTMD), a form of business improvement district, pursuant to State law. The District will be funded by the existing $2.00 per paid occupied room per night for lodging establishments with fifty (50) rooms or less, and $2.50 per paid occupied room per night for lodging establishments with fifty-one (51) rooms or more. There is no change to the assessment resulting from the reformation, nor is there an impact on the General Fund.

Council previously adopted a Resolution of Intention to begin the reformation process, held a public meeting regarding the new RTMD, and adopted a Resolution of Intention to disestablish the RTBID. This agenda item is the next step in this process.

RECOMMENDED ACTION:

INTRODUCE an ordinance to disestablish the Richmond Tourism Business Improvement District, which is being reformed as the Richmond Tourism Marketing District (RTMD), a form of business improvement district, pursuant to State law – City Manager's Office (Bill Lindsay/Janet Johnson 620-6512).

FINANCIAL IMPACT OF RECOMMENDATION:

There is no financial impact to the City of Richmond. The total RTMD annual budget for the initial year of its five-year operation is anticipated to be approximately $280,000, funded by the existing annual assessment on lodging establishments.

DISCUSSION:

Tourism Marketing Districts (TMDs) are an evolution of the traditional business improvement district. The first TMD was formed in 1989, and, since then, over eighty California destinations have used this organization and funding model. TMDs are formed pursuant to the Property and Business Improvement District Law of 1994.

The reformation consists of two components: (1) forming the new Richmond Tourism Marketing District under the Property and Business Improvement District Law of 1994; and (2) disestablishing the existing Richmond Tourism Business Improvement District (RTBID), created under the Parking and Business Improvement Area Law of 1989. If these processes are not undertaken simultaneously, both Districts would exist at the same time and hotels would pay both assessments, which is not desired.

The City Council has taken previous steps to begin both processes. In order to continue the process for the second component, disestablishment of the Richmond Tourism Business Improvement District, staff recommends that the Council introduce the ordinance disestablishing the RTBID. The Ordinance will be presented for a second reading and adoption on June 2, 2015.

DOCUMENTS ATTACHED:

Attachment 1 – Ordinance Disestablishing the RTBID

Ordinance No. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND DISESTABLISHING THE RICHMOND TOURISM BUSINESS IMPROVEMENT DISTRICT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHMOND, AS FOLLOWS:

SECTION I. AUTHORITY.

This ordinance is adopted pursuant to the "Parking and Business Improvement Area Law of 1989," Streets and Highways Code section 36500 et seq. and Resolution Number 44-15, adopted by the City Council on May 5, 2015, entitled a "Resolution of the City Council of the City of Richmond Declaring its Intention to Disestablish the Richmond Tourism Business Improvement District." Such resolution was published and mailed as provided by law and a public hearing was held by the City Council at its regular meeting on June 2, 2015, at which time all persons desiring to be heard and all objections made or filed were fully heard. The City Council duly concluded the hearing on June 2, 2015.

SECTION II. AREA DISESTABLISHED.

The City Council finds and determines that the public convenience and necessity require disestablishment of the Richmond Tourism Business Improvement District for reasons given in the Resolution of Intention.

Pursuant to Section 36550 of the Parking and Business Improvement Area Law of 1989, the Richmond Tourism Business Improvement District is hereby disestablished.

SECTION III. EFFECTIVE DATE.

This Ordinance shall take effect on August 1, 2015.

ADOPTED:

EFFECTIVE:

AYES: **Council Members**
NAYES: **Council Members**
ABSENT: **Council Members**
ABSTAIN: **Council Members**

_____
Mayor

ATTEST:

_____
Clerk

AGENDA ITEM REQUEST FORM

#G-2.

Department: Mayor's Office **Department Head:** Tom Butt **Phone:** 620-6503

Meeting Date: 6/2/2015 **Final Decision Date Deadline:**_____

STATEMENT OF THE ISSUE: Richmond has roads, rail lines and marine shipping terminals capable of transporting large quantities of coal and petroleum coke materials. The mining, transportation and export of coal and petroleum coke products can have negative impacts on air quality, public health and the natural environment.

Dust from petroleum coke and coal can cause health impacts such as coughing, wheezing, and shortness of breath. It can also aggravate respiratory conditions, such as asthma.

In order to protect Richmond residents from these health impacts, the City should:

- **Pass a resolution that calls on the Bay Area Air Quality Management District (BAAQMD) to adopt a new set of regulations which mirror Rule 1158 of the South Coast Air Quality Management District. Furthermore, the resolution should clearly establish a full commitment from the City of Richmond to reducing the negative impacts of the storage and transfer of coal and petroleum coke products.**
- **Adopt a policy to restrict use of the city-owned port property to not allow the storage or export of coal and petroleum coke, and direct staff to take actions which articulate opposition and support stronger regulations.**

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐ **Other**_____

ITEM

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☐ **Other** _____

☐ **Contract/Agreement** ☒ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: ADOPT a resolution supporting increased local, state and federal regulation of the storage and handling of coal and petroleum coke ("petcoke"); calling on the Bay Area Air Quality Management District board to regulate air quality as it pertains to the storage, handling, and transportation of coal and petcoke; and directing staff to research similar pollution mitigation measures; and ADOPT a resolution opposing mining, export and burning of coal, and the transportation of coal and petroleum coke ("petcoke") along California waterways and through densely populated areas including the City of Richmond - Mayor Tom Butt (620-6503) and Councilmember Gayle McLaughlin (620-6503). This item was continued from the March 17, 2015, April 7 and 21, 2015, and May 5, 2015, meetings.

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

G-2.

AGENDA REPORT

MAYOR'S OFFICE

DATE: May 19, 2015

TO: Members of the City Council

FROM: Mayor Tom Butt and Councilmember McLaughlin

SUBJECT: A RESOLUTION SUPPORTING INCREASED REGULATION OF THE TRANSPORTATION AND STORAGE OF PETROLEUM COKE AND COAL MATERIALS, AND A RESOLUTION TO OPPOSE THE MINING AND TRANSPORTATION OF COAL AND PETROLEUM COKE

STATEMENT OF THE ISSUE:

Richmond has roads, rail lines and marine shipping terminals capable of transporting large quantities of coal and petroleum coke materials. The mining, transportation and export of coal and petroleum coke products can have negative impacts on air quality, public health and the natural environment.

Dust from petroleum coke and coal can cause health impacts such as coughing, wheezing, and shortness of breath. It can also aggravate respiratory conditions, such as asthma.

In order to protect Richmond residents from these health impacts, the City should:

- Pass a resolution that calls on the Bay Area Air Quality Management District (BAAQMD) to adopt a new set of regulations which mirror Rule 1158 of the South Coast Air Quality Management District. Furthermore, the resolution should clearly establish a full commitment from the City of Richmond to reducing the negative impacts of the storage and transfer of coal and petroleum coke products.

- Adopt a policy to restrict use of the city-owned port property to not allow the storage or export of coal and petroleum coke, and direct staff to take actions which articulate opposition and support stronger regulations.

RECOMMENDED ACTION:

ADOPT a resolution supporting increased local, state and federal regulation of the storage and handling of coal and petroleum coke ("petcoke"); calling on the Bay Area Air Quality Management District board to regulate air quality as it pertains to the storage, handling, and transportation of coal and petcoke; and directing staff to research similar pollution mitigation measures; and ADOPT a resolution opposing mining, export and burning of coal, and the transportation of coal and petroleum coke ("petcoke") along California waterways and through densely populated areas including the City of Richmond.

FINANCIAL IMPACT:

There are no financial impacts related to this item.

DISCUSSION:

Petroleum coke is a residue by-product of petroleum refining which is used primarily as a cheap fuel source in countries including China and Mexico. In Richmond, coke and coal products are generally transported through densely populated residential neighborhoods by uncovered railcars and/or trucks. This form of transportation can cause the release of dust that has negative health impacts such as coughing, wheezing or shortness of breath. It can also aggravate respiratory conditions, such as asthma.

In 1983 the South Coast Air Quality Management District adopted Rule 1158 (amended July 11, 2008), which requires the transfer and storage of petroleum coke, coal, and sulfur be enclosed to control fugitive dust. The Bay Area Air Quality Management District (BAAQMD) board should implement a rule similar to Rule 1158 to regulate the storage, handling, and transport of petroleum coke and coal.

There is a reasonable expectation that the coal and petcoke industry would consider locating or expanding storage and export facilities in the City of Richmond. The Port of Oakland has recently been considered as a site for exporting those materials and it is recommended that the City of Richmond adopt a policy to restrict the use of City-owned port property to not allow the storage or export of coal and petcoke in order to reduce the chances of increased transportation of those materials through the city.

NEXT STEPS:

The Mayor will send a letter on behalf of the City of Richmond to the Bay Area Air Quality Management District urging adoption of new regulations that will address the hazards of transporting coal and petroleum coke products by rail and/or trucks through communities like Richmond.

City staff will explore actions which the City can take to implement pollution mitigation measures for bulk storage facilities that handle coal and petroleum coke products.

ATTACHMENTS:

Resolutions
South Coast Air Quality Management District Rule 1158
Letter from Supervisor Gioia
Port of Oakland memo

RESOLUTION NO. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF RICHMOND SUPPORTING INCREASED LOCAL, STATE AND FEDERAL REGULATION OF THE STORAGE AND HANDLING OF COAL AND PETROLEUM COKE ("PETCOKE"); CALLING ON THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT BOARD TO REGULATE AIR QUALITY AS IT PERTAINS TO THE STORAGE, HANDLING, AND TRANSPORTATION OF COAL AND PETCOKE; AND DIRECTING STAFF TO RESEARCH SIMILAR POLLUTION MITIGATION MEASURES

WHEREAS, there is an increase in the transport and export of coal and petcoke – a byproduct of oil refining – on the West Coast and in California; and

WHEREAS California public and private ports have recently attempted to secure permits to build or expand export facilities for coal and petcoke; and

WHEREAS Richmond has marine cargo facilities capable of storing transporting and ship-loading coal and petcoke materials; and

WHEREAS in 1983 the South Coast Air Quality Management District adopted Rule 1158 (amended July 11, 2008), which requires the transfer and storage of petroleum coke, coal and sulfur be enclosed to control the release of fugitive dust; and

NOW, THEREFORE, BE IT RESOLVED that the Richmond City Council supports increased local, state and federal oversight and regulation of the storage and handling of coal and petroleum coke, and

BE IT FURTHER RESOLVED the Mayor will submit a letter on behalf of the City of Richmond to the Bay Area Air Quality Management District urging the board to amend Regulation 6, Rule 1: General Requirements for Particulate Matter, to improve the storage, handling and transfer of coal and petcoke; to address pollution hazards of transporting coal and petroleum coke products through communities like Richmond; and

BE IT FURTHER RESOLVED that staff will explore methods for the City to regulate the storage, handling and transportation of coal and petroleum coke products should the Bay Area Air Quality Management District fail to act within 120 days of the adoption of this resolution.

RESOLUTION NO. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF RICHMOND OPPOSING THE MINING, EXPORT AND BURNING OF COAL, AND THE TRANSPORTATION OF COAL AND PETROLEUM COKE ("PETCOKE") ALONG CALIFORNIA WATERWAYS, AND THROUGH DENSELY POPULATED AREAS INCLUDING THE CITY OF RICHMOND

WHEREAS Richmond has roads, rail lines and marine shipping terminals capable of transporting large quantities of petcoke and coal materials; and

WHEREAS the California Assembly passed, and Governor Brown signed, Joint Assembly Resolution No. 35 in September 2012 urging the President and Congress to restrict the export of coal for electricity generation to any nation that fails to adopt regulations on greenhouse gas emissions or hazardous air emissions as restrictive as those adopted by the U.S.; and

WHEREAS in Washington and Oregon, 27 cities passed similar resolutions opposing coal transport and export, and hundreds of other public officials – including Governors Kitzhaber and Inslee, state and federal agencies, tribes, health entities, religious leaders and other community leaders, have recognized the harms of coal by making statements of concern about coal transport and export. The State of Washington Department of Ecology, through its SEPA process, is requiring a comprehensive cumulative impacts analysis of proposed coal export facilities and rail transport from mine to port to plant spanning the Powder River Basin to Asia for the proposed Longview and Bellingham coal export facilities; and

WHEREAS coal and petcoke are commonly transported via open-top rail cars and there is evidence that a large volume of those materials escape during transit. The Port of Oakland memo dated February 19, 2014, "Environmental Issues Associated With Handling Export Coal," estimates that even if a surfactant is applied, 6 tons of coal dust are still released by a 125-car train over the course of a 400-mile trip, or 12-18 tons over the course of a 800-1,200 mile trip. According to at least one report from the BNSF Railway, each coal car in a 125-car coal train loses, on average, 500 pounds of coal per car in transit, for a total of up to 60,000 lbs lost per train on an average trip. Uncovered rail cars could contaminate cities, towns, farmland, forestland, streams, and rivers across California with coal dust and chunks of coal; and

WHEREAS a federal Surface Transportations Board proceeding on coal by rail transportation found that coal dust is a "pernicious ballast foulant" that can destabilize rail tracks and contribute to train derailments. Between July 2012-2013 at least 40 coal trains in the U.S. derailed, causing four victims to lose their lives, large amounts of coal to spill, major delay to other rail users, and significant costs to repair the damage; and

WHEREAS , the transportation of coal in open rail cars and accumulation of coal on or near rail lines has been known to create public safety hazards, including train derailments, explosions and fires; and

WHEREAS new coal and petcoke export terminals are expected to result in an increase in train traffic in California, causing concerns about blocked roads, causing great inconvenience, increasing costs to business and commerce, inhibiting the travel of emergency vehicles, pedestrians, access to waterways near the rail lines for fishing and other recreational use, and other vehicle traffic, and potentially catastrophic train derailments; and

WHEREAS increased rail traffic in California from coal can lead to an increase in diesel emissions in communities along rail lines, and exposure to particulate matter from diesel engines has been linked to impaired pulmonary development in adolescents; increased cardiopulmonary mortality; measurable pulmonary inflammation; increased severity and frequency of asthma attacks, emergency room visits, and hospital admissions in children; increased rates of heart attacks and strokes in adults; increased risk of cancer; and increased asthma and lung disease in children; and

WHEREAS coal contains toxic heavy metals – including mercury, arsenic, and lead – and exposure to these toxic heavy metals in high concentrations is linked to cancer and birth defects; and

WHEREAS petroleum coke contains Polycyclic Aromatic Hydrocarbons (PAHs) and heavy metals – including arsenic, copper, mercury, nickel, and zinc – at levels that are harmful to fish and wildlife as well as humans; and

WHEREAS trains delivering coal traveling through the Bay Area will follow routes adjacent to the San Francisco Bay, Estuary, and its tributaries, and routes adjacent to the Sacramento River and Sacramento-San Joaquin Delta, Richmond Riviera, and Santa Fe Channel posing a serious threat to these ecosystems, and to California's agricultural irrigation and drinking water supplies; and

WHEREAS hauling coal into California involves traversing some of the most challenging mountain passes in the nation, areas with earthquake faults and numerous unsafe old steel and timber bridges over major waterways, increasing the probability of serious accidents; and

WHEREAS trains and/or trucks delivering coal and petcoke pass through densely populated neighborhoods in Richmond, North Richmond and neighboring communities, and the potential of a catastrophic accident involving the transportation of coal and petcoke products, such as a coal train derailment, is a real danger; and

WHEREAS the cumulative impacts of combined coal/petcoke train and truck traffic through Richmond and other parts of California, in addition to the cumulative upstream and downstream greenhouse gas impacts of these fossil fuels, must be analyzed.

NOW, THEREFORE, BE IT RESOLVED that the Richmond City Council opposes the mining, transport, burning, and export of coal in general; and

BE IT FURTHER RESOLVED that the Richmond City Council opposes the use of existing

rail lines and roadways to transport coal and petcoke along California waterways, through densely populated areas, and through the City of Richmond; and

BE IT FURTHER RESOLVED that it is the policy of the City of Richmond to not allow city property, including city-owned properties managed by the Port of Richmond, to be used for the storage or export of coal or petcoke; and

BE IT FURTHER RESOLVED that the City Council shall direct staff to:

- Carefully evaluate CEQA documents and any draft permit approvals, such as air permits or zoning changes, for transport of coal and petcoke, for potential adverse impacts on public health, safety and the environment, and submit comments addressing any such adverse impacts, as well as any omissions or discrepancies;

- Include in all CEQA comments a request for a region-wide cumulative impacts analysis to fully account for the direct, indirect and cumulative impacts associated with multiple proposals for coal and petcoke transport and export in California communities;

- Submit a letter to Governor Jerry Brown requesting a cumulative impacts analysis similar to the Washington Department of Ecology for coal mining, transport and burning;

- Oppose coal and petroleum coke transport through the City of Richmond and support increased state and federal regulations regarding coal and petroleum coke transport through the City of Richmond by working with local stakeholders and other groups, including considering filing amicus briefs in support of public entities and environmental organizations that file lawsuits;

- Address impacts to public health, safety, property, air quality, and surface and groundwater caused by the transportation of coal and petcoke through Richmond by actively enforcing and/or encouraging aggressive enforcement of all applicable local state and federal laws and regulations and engaging in state and federal regulatory processes;

- Alert and communicate with other cities along the transportation route, and support their opposition to coal and petcoke transport, as well as efforts for stronger regulation;

- Work through the California League of Cities, California League of Counties, and other relevant organizations to articulate opposition to coal and petcoke transport, as well as support for stronger regulations;

- Alert State legislative representatives and lobbyists in Sacramento and enlist their help;

- Lobby federal Senators and Representatives for help at the federal level

- Submit a letter to rail carriers involved in transport of coal and petroleum coke in Richmond requesting:

- railroads involved in coal and/or petroleum coke proposals make public any plans for new or expanded rail facilities or significant rail traffic volume increases and that the railroad provide representatives to meet periodically with local citizen groups and local government officials from Richmond to seek mutually acceptable ways to address local concerns;

- railroads immediately contact the Railroad Operations and Safety Branch of the California Public Utilities Commission to ensure the timely implementation of adequate and updated plans for investigation, inspection, infrastructure improvement, or any other mechanism available to the California Public Utilities Commission to improve and maintain safe operating practices and transport of materials by rail;

- rail carriers conduct environmental monitoring in the City of Richmond, including but not limited to groundwater and air monitoring, and submit environmental monitoring and testing information to local government entities on an annual basis for 10 years or until the City of Richmond determines that there is no significant environmental impact from activities conducted by the railroad;

- railroads take proactive measures to prevent rail accidents, offset congestion, and reduce community impacts by drafting road improvement plans for grading, widening, or otherwise providing crossings at intersections that would be impacted by rail traffic increases, and to pay in full for these upgrades;

BE IT FURTHER RESOLVED that the City Council will direct staff to expedite CEQA analysis and approve permits for projects designed solely to reduce harmful emissions or required to comply with environmental laws, including consideration of a negative declaration for proposed covered storage of fossil fuels.

(Adopted December 2, 1983)(Amended June 11, 1999)
(Amended July 11, 2008)

RULE 1158. STORAGE, HANDLING, AND TRANSPORT OF COKE, COAL AND SULFUR

(a) Purpose

The purpose of this rule is to reduce the emissions of airborne particulate matter from the storage, handling, and transport of coke, coal and sulfur; and to reduce the potential for the storage, handling and transport of these materials to violate AQMD Rules 402 – Public Nuisance and 403 – Fugitive Dust.

(b) Applicability

This rule applies to the operator of a facility that produces, stores, handles, transports, or uses coke, coal or sulfur.

(c) Definitions

For the purpose of this rule:

(1) ACCUMULATION is any surface deposit of material greater than three ounces in one square foot other than inside an approved storage area, conveyor, transport vehicle, coker pit, slurry bin, water collection channel or separation pond.

(2) AQMD PERMITTED FACILITY is a facility that has material storage or handling equipment required to have permits to operate from the AQMD.

(3) BEST AVAILABLE CONTROL MEASURES represent fugitive dust control actions which are required to be implemented within the boundaries of the South Coast Air Basin. A detailed listing of best available control measures for each fugitive dust source type shall be as contained in the most recent Rule 403 Implementation Handbook, now or hereafter adopted by the Governing Board.

(4) CALCINED COKE is coke which has been processed in a kiln.

(5) CHEMICAL STABILIZER is any non-toxic chemical dust suppressant which is not prohibited for the uses proposed in this Rule or by any other applicable law, and which meets all applicable specifications required by any federal, state, or local water agency.

(6) COAL is a solid, brittle, carbonaceous rock classified as anthracite, bituminous, subbituminous, or lignite by ASTM Designation D388-77.

(7) COKE is a solid carbonaceous residue produced from a coker after cracking and distillation from petroleum refining operations.

(8) COKER PIT is an open-top containment area at a refinery coker unit used to contain cut or cracked petroleum coke.

(9) CONTAMINATED MATERIAL means a material that has become mixed with other materials or dirt so that it is no longer considered material or no longer meets marketable product specifications.

(10) CONVEYOR SHUTTLE or TRAVELER or TRIPPER is a device supporting a conveyor that can travel forwards or backwards along a feed conveyor as needed to allow the conveyor to load material onto a selected area of a ship or pile.

(11) DEWATERING TRUCK-LOADING BIN is a cylindrical tank with a funnel-shaped bottom which receives material in a slurry form and separates the solids from water by filters and gravity, eventually discharging the solids into a truck.

(12) DRY MATERIAL is any coke, coal, or sulfur, that does not meet this Rule's definition for moist material.

(13) ENCLOSED CONVEYOR is a conveyor which is totally enclosed in a tube or encompassed 360 degrees within a solid plane structure, or an equivalent conveying system as approved by the Executive Officer.

(14) ENCLOSED STORAGE is any completely roofed and walled structure or building, including a truck or railcar covered pursuant to subparagraphs (d)(12)(A), (B), (C), or (D), surrounding an entire coke, coal or sulfur pile.

(15) FACILITY means any source or group of sources or other air contaminant-emitting activities which are located on one or more contiguous properties within the AQMD, in actual physical contact or separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person (or by persons under common control), or an outer continental shelf (OCS) source as determined in 40 CFR Section 55.2. Such above-described groups, if noncontiguous, but connected only by land carrying a pipeline, shall not be considered one facility. Sources or installations involved in crude oil and gas production in Southern California Coastal or OCS Waters and transport of such crude oil and gas in Southern California Coastal or OCS Waters shall be included in the same facility which is under the same ownership or use entitlement as the crude oil and gas production facility on-shore.

(16) FREEBOARD is the distance from the top of the material storage section of the truck trailer to the top of the material load at its highest point.

(17) FUGITIVE DUST means any solid particulate matter that becomes airborne by natural or man-made activities, excluding particulate matter emitted from an exhaust stack.

(18) HIGH WIND CONDITIONS is when wind speeds exceed 15 miles per hour.

(19) LOOSE means material that can be swept off a surface by a person using a whisk broom.

(20) MATERIAL means any substance containing at least 50% by weight of coke, coal, or sulfur. The percent by weight shall be determined by at least a one ounce sample taken at any random point.

(21) MOIST MATERIAL is material that has a moisture content that in no place is less than the following: coke material 8.3%, coal material 7.6%, and sulfur material 2.8%.

(22) NON-LUMP MATERIAL means any coke, coal, or sulfur material which can pass through a 6.3 millimeter sieve (1/4 inch opening).

(23) OPEN STORAGE is any material coke, coal or sulfur pile that is not in enclosed storage.

(24) PAVED means improved by covering with concrete, asphaltic concrete, recycled asphalt, or asphalt.

(25) PERMANENT WATER RECYCLING SYSTEM DEWATERING BED is a below-ground, open-top containment vessel, used in conjunction with a water reclamation system, to reduce moisture content of bulk material removed from a water clarifier for the purpose of disposal.

(26) PILE means any amount of coke, coal or sulfur material which attains a height of three feet or more, or a total surface area of 150 square feet or more.

(27) PRILLED SULFUR is a product formed in a wet process involving the contact of heated liquid sulfur with cooled water, resulting in a sphere-like solid.

(28) ROAD means any route with evidence of repeated prior travel by vehicles.

(29) SEPARATION POND means a container for separating coke from water by gravity, which has a liquid water surface at all points.

(30) SILT is any particulate, including but not limited to coal, coke, or sulfur, with a particle size less than 75 micrometers in diameter as measured by a No. 200 sieve.

(31) SLURRY BIN is a container located at a refinery coker unit or its associated coke handling system holding a watery mixture of material.

(32) STREET SWEEPER is, if purchased or contracted for before January 1, 2000, a vacuum or regenerative air street sweeper, and if purchased or contracted for on or after January 1, 2000, is a PM10 street sweeper pursuant to Rule 1186 – PM10 Emissions from Paved and Unpaved Roads & Livestock Operations.

(33) SULFUR is a chemical element, atomic number 16 on the periodic chart, and which is found in crystalline or amorphous form.

(34) TELESCOPING LOADING CHUTE is a length adjustable chute which completely encloses the material during ship loading operations.

(35) TRACKIN – TRACKOUT ROAD is a road (excluding freeways), starting from the entrance or exit of the facility property and continuing away from the property for the first quarter mile of the road, that a truck trailer, used for material transport, travels on.

(36) TRANSFER POINT is the point in the storage, handling or transport process where material being moved, carried, conveyed, or transported is dropped or deposited.

(37) VEHICLE is any car, truck, in-service transportation, or off-road mobile heavy equipment.

(38) WATER SPRAY SYSTEM means a dust suppression technique that uses water or water-based solutions delivered through pipes, tubes, or hoses that are fitted with one or more nozzles and operated at pressures ranging from 1 to 1500 psi.

(39) WIND SCREENS are structures that are sufficient to deflect the wind away from conveyed material and reduce fugitive dust emissions, and are adjacent to both sides of and extend along the entire length of the conveyor, tall enough to extend above and below the conveyor and material.

(d) Any facility that produces, handles, transports, or stores coke, coal, or sulfur material for transfer or shipment shall comply with all of the following requirements:

(1) The facility operator shall not cause, or allow the discharge into the atmosphere of, fugitive dust for a period or periods aggregating more than three minutes in any one hour which is equal to or greater than 10% opacity (equivalent to 10% opacity under EPA Method 9 or one half of No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines).

(2) The facility operator shall maintain all piles in enclosed storage.

(A) Structures or buildings used for enclosed storage shall be properly maintained, equipped with and use as needed, a water spray system or permitted air pollution control equipment sufficient to control fugitive dust emissions at designed vents and at entrances or exits for material or vehicles so as not to violate the provisions of paragraph (d)(1).

(B) Any entrance or exits for material or vehicles shall have overlapping flaps, sliding doors or other devices(s) approved by the Executive Officer, which shall remain closed except to allow material or vehicles to enter and leave or when people are inside.

(C) For coal and prilled sulfur piles existing before June 11, 1999, the facility operator may achieve compliance with outdoor storage provided that the Executive Officer approves an open pile control plan, pursuant to subdivision (f).

(3) The facility operator shall only conduct material truck unloading in an enclosed structure that is either equipped with a water spray system to be used as needed to prevent visible dust emissions or vented to permitted air pollution control equipment that is operated during unloading activities. The ends of the structure shall have overlapping flaps that reduce the opening to no greater than 11 feet high by 10 feet wide, sliding doors which shall remain closed except to allow the trucks to enter and leave, or other equally effective devices as approved by the Executive Officer.

(4) The facility operator shall only conduct railcar material unloading in an enclosed structure that is either equipped with a water spray system operated to prevent visible dust emissions, or vented to permitted air pollution control equipment that is operated during unloading activities. The ends of the structure shall have overlapping flaps, sliding doors or other equally effective devices as approved by the Executive Officer, which shall remain closed except to allow the railcars to enter and leave.

(5) The facility operator shall pave and maintain as paved, the following areas:

(A) All ground surfaces within the facility where material accumulations routinely occur; and,

(B) All roads and vehicle movement areas within the facility that are used for transporting or moving material excluding AQMD permitted material enclosures and areas approved by the Executive Officer for material storage pursuant to other sections of this Rule.

(6) When transport is by truck, the facility operator shall only receive or transfer material in truck trailers that, within one quarter mile of the perimeter of the facility, are driven only on paved roads.

(7) In order to clean roads of accumulations, the facility operator shall comply with either (A) or (B):

(A) The facility operator shall prevent and remove any material so that the following limits are not exceeded:

(i) A silt loading value, for all silt particles, of 0.05 grams/meter^2 for any trackout road, excluding freeways and railroad tracks; and

(ii) A silt loading value, for all silt particles, of 0.25 grams/meter^2 for all roads and vehicle movement areas excluding railroad tracks within the facility that are used for transporting or moving material.

(B) The facility operator shall use a street sweeper to clean any trackin – trackout road and any road inside the facility, used to transport material.

(i) The street sweeping shall be sufficient so that not more than 4 hours elapses between each street sweeper cleaning or after every 100 truck material receipts or dispatches, but not less than one time daily when the facility is open for business.

(ii) Each 24-hr. day, the day beginning at 12:01 A.M., the facility operator shall designate and record whether for that day the facility operator is street sweeping every four hours or every 100 trucks. The record shall show the date and time when street sweeping was performed and the truck count.

(iii) Facility operators shall begin cleaning up material spills of more than three pounds, or that cover more than a square foot, within one hour and continue clean up operations until the spill is removed.

(C) Prior to the beginning of each calendar quarter the facility operator shall designate and record which alternative, A or B, the facility operator is choosing to comply with during the quarter.

(D) A violation of subparagraph (d)(7)(C) shall be considered a violation of paragraph (d)(7).

(8) The facility operator shall maintain all areas within the facility, except for those areas subject to paragraph (d)(7), free of any accumulation, unless the accumulation is:

(A) moist material;

(B) dry material not higher than three inches, except for crushed prilled sulfur which shall be removed; or

(C) completely covered.

(9) Any new or replacement conveyors constructed after June 11, 1999 shall be enclosed conveyors. For purposes of this paragraph, the installation of a conveyor between two transfer points shall be a replacement conveyor. For conveyors existing before June 11, 1999, the facility operator shall, except for prilled sulfur, only conduct material conveying in compliance with either:

(A) All non-lump material shall be moist material; or,

(B) The material shall be conveyed in an enclosed conveyor(s).

(10) The facility operator shall, except for prilled sulfur, maintain all material transfer points in compliance with one of the following:

(A) Total enclosure;

(B) Water spray system sufficient to control fugitive dust emissions during operations to comply with paragraph (d)(1);

(C) vented to permitted air pollution control equipment which is in full operation;

(D) Transfer only moist material and conduct such transfer only in an overhead truck trailer or railcar loader, or chute with a hopper, such that the exposed drop does not exceed four feet from the top of the truck or railcar; or,

(E) Controlled by another equivalent method approved, in writing, by the Executive Officer.

(11) The facility operator shall only load materials into ships through a telescoping loading chute which uses a water spray system, or an air pollution control system, sufficient to control fugitive dust emissions during operations to comply with paragraph (d)(1), and:

(A) Is extended to within five feet of the top of the pile; or,

(B) Is at least 5 feet below the hatch coaming.

(12) The facility operator of an AQMD permitted facility shall not load material into any truck trailer or railcar unless it is subsequently and immediately covered, before leaving the facility, in one of the following manners sufficient to prevent material from escaping from the trailer or railcar onto the facility property:

(A) A solid sliding cover on the top of the truck or railcar that is kept completely closed, or;

(B) For trucks, a slot-top type cover that reduces the uncovered open surface area by at least 50% and extends above the trailer top edges without gaps; and either the material contained in the trailer is moist material, or a chemical stabilizer is applied to the surface of the material in sufficient amounts and concentration so as to prevent fugitive dust emissions during transport; or,

(C) A continuous tarp that completely covers the trailer or railcar top, and for trucks, does not contact the material within the trailer. In addition, the tarp shall be installed or the trailer/railcar constructed to prevent wind from entering over the leading edge of the trailer/railcar rim into the interior of the trailer/railcar; or

(D) For railcars, an alternative method of control proven effective in preventing visible fugitive PM emissions escaping from the railcar and approved by the Executive Officer prior to its use.

(13) Facility operators shall not load material into truck trailers or railcars such that a trailer or railcar leaks liquid that contains material onto the facility property.

(14) If a truck trailer or railcar leaks liquid that contains material onto the facility property, the facility operator shall clean the affected property within one hour with a street sweeper or water.

(15) The facility operator shall clean all out-going material transport trucks, whether loaded or empty, so that:

(A) Any part of any tractor, trailer or tire exterior surface, excluding the inside of the trailers, are free of all loose material in excess of 1 gram per square decimeter or 10 grams total.

(B) The material removed by the truck cleaning operation is collected and recycled or otherwise disposed of so that it does not result in fugitive dust emissions.

(16) The facility operator shall not load sulfur into trucks or railcars unless:

(A) The sulfur is not greater than 1% crushed prilled sulfur by weight and;

(B) The loading is controlled by an enclosure or water spray system, approved by the Executive Officer, that reduces visible emissions to ensure compliance with paragraph (d)(1).

(e) Any facility that stores material solely for use at the facility either as a fuel or as an ingredient in a manufacturing process shall comply with all of the following requirements:

(1) The facility operator shall not cause, or allow the discharge into the atmosphere of, fugitive dust for a period or periods aggregating more than three minutes in any one hour which is equal to or greater than 10% opacity (equivalent to 10% opacity under EPA Method 9 or one half of No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines).

(2) The facility operator shall maintain all piles in enclosed storage, except as provided in paragraph (3). Any openings shall have overlapping flaps, sliding doors or other equivalent devices(s) approved by the Executive Officer, which shall remain closed except to allow the vehicles to enter or leave.

(3) For facilities existing before June 11, 1999 only, for coal and prilled sulfur, the facility operator may achieve compliance with outdoor storage provided the Executive Officer approves, in advance, an open storage pile control plan, or complies at all times with at least one of the following:

(A) Installs and maintains a three-sided barrier equal to the height of the material, with no more than fifty percent porosity to provide wind sheltering;

(B) Maintains and operates water spray bars, a misting system, water hoses and or water trucks to control fugitive dust emissions;

(C) Applies chemical stabilizer(s) to control fugitive dust emissions;

(D) Installs temporary covers; or

(E) Other equivalent measures approved by the Executive Officer.

(4) Within four hours after material is delivered to the facility by truck trailer, the facility operator shall inspect and clean up any spilled material on any paved road inside or outside the facility up to a quarter mile.

(5) The facility operator shall use a street sweeper to clean any paved road used for material transport, inside or outside the facility, up to a quarter mile from the material delivery site at least once a week or after every 100 truck material deliveries, whichever results in the most frequent street sweeping.

(6) The facility operator shall pave and maintain as paved, except for railroad tracks, the following areas:

(A) All non-road ground surfaces within the facility where material accumulation occurs; and,

(B) All roads and vehicle movement areas within the facility that are used to receive material by truck trailer.

(7) The facility operator shall pave or chemically stabilize and maintain all roads and vehicle movement areas within the facility, that are used for transporting coal.

(8) The facility operator shall prevent, or remove within four hours, any coke accumulations on all paved ground surfaces except for those areas subject to paragraph (3), unless the accumulations are either:

(A) Moist material; or

(B) Dry material not higher than three inches; or

(C) Completely covered.

(9) The facility operator shall prevent, or remove within four hours, any coal deposit higher than three inches on all paved ground surfaces except for those areas subject to paragraph (7), unless the accumulations are either:

(A) Moist material; or

(B) Completely covered.

(10) The facility operator of an AQMD permitted facility shall not allow any truck trailer or railcar, while on the AQMD permitted facility, to transport material unless the trailer or railcar is covered in one of the following

manners, sufficient to prevent material from escaping from the truck/railcar onto the facility property.

(A) A solid sliding cover on the top of the truck or railcar that is kept completely closed, or;

(B) For trucks, a slot-top type cover that reduces the uncovered open surface area by at least 50% and extends above the trailer top edges without gaps; and either the material contained in the trailer is moist material, or a chemical stabilizer is applied to the surface of the material in sufficient amounts and concentration so as to prevent fugitive dust emissions during transport: or

(C) A continuous tarp that completely covers the trailer or railcar top, and for trucks, does not contact the material within the trailer. In addition, the tarp shall be installed or the trailer/railcar constructed to prevent wind from entering over the leading edge of the trailer/railcar rim into the interior of the trailer/railcar.

(D) For railcars, an alternative method of control proven effective in preventing visible fugitive PM emissions escaping from the railcar and approved by the Executive Officer prior to its use.

(11) When transport is by truck trailer, the facility operator shall not receive or transfer material in truck trailers unless such truck trailers, that within one quarter mile of the perimeter of the facility, drive only on paved roads.

(12) The facility operator shall:

(A) Record daily, any material delivery by truck trailer and any related street sweeping;

(B) Record the application of chemical stabilizer pursuant to paragraph (e)(7);

(C) Record the time of discovery, condition (moist or dry and or depth of material) and removal of any accumulations pursuant to paragraphs (e)(4), (e)(8) or (e)(9).

(f) Open Storage Pile Control Plan

The Executive Officer shall disapprove an Open Storage Pile Control Plan unless the facility operator demonstrates that the plan requires the facility operator to implement best available control measures on the pile(s) and provides that no material accumulates beyond the boundaries of the pile and provides that the facility will comply with all applicable AQMD rules. The Plan shall be submitted

as a Rule 1158 Open Pile Control Plan in a complete and approvable form and by the compliance deadline. On and after July 11, 2008, the Executive Officer shall not accept any new Open Storage Control Plan for approval.

(1) In evaluating the proposed plan, the Executive Officer may reasonably require tests and sampling as necessary to determine the likelihood of emission reductions and compliance.

(2) The plan shall be implemented by the facility operator upon approval by the Executive Officer.

(3) The plan shall contain as a minimum:

(A) A contour map showing the location of the facility, the location of all piles, the perimeter boundary of the piles, and the surrounding land use and types of roadways within one quarter mile of the perimeter of the facility.

(B) The maximum daily amount of each material stored within the facility and the maximum daily throughput.

(C) A list of each applicable best available control measure for each fugitive dust source associated with the pile, including sources associated with moving the pile with mechanical equipment, and detailed documentation demonstrating how implementation of each measure will achieve compliance with all applicable AQMD rules under all conditions, including high wind conditions.

(4) In approving a plan, the Executive Officer may require any reasonable conditions deemed necessary to ensure the operation complies with the plan and AQMD Rules. The conditions may include, but shall not be limited to, application frequency and location of water spray systems, frequency of chemical stabilizer treatments, limits on handling, storage and transport of crushed materials, the placement, construction or modification of permanent perimeter boundaries for each pile or group of piles, monitoring wind conditions, advance notification to the Executive Officer of ship loading activities, and performing ambient air monitoring.

(5) In approving a plan, the Executive Officer may require any records deemed necessary to be maintained by the facility operator to demonstrate compliance with the plan. Such records shall be retained for at least 2 years and be made available to the Executive Officer upon request.

(6) The Plan is only valid for one year. If the Executive Officer denies approval, the facility will have 120 days to submit the necessary

applications and two years from the date of the initial denial, to comply with the enclosed storage requirement. In the interim between before the storage pile(s) are enclosed, the Executive Officer may issue an interim plan that requires control measures deemed reasonably necessary to ensure the operation complies with all applicable AQMD Rules.

(7) Compliance with the provisions of the approved plan does not exempt a person from complying with the requirements of the California Health and Safety Code, or any other AQMD Rule.

(g) Compliance Schedule

(1) All existing Rule 1158 Interim or Permanent Compliance Plans are void.

(h) Test Method

(1) ASTM Methods D-3302, D-4931, or equivalent methods approved by the Executive Officer, the California Air Resources Board and the U.S. EPA. shall be used to determine the material moisture content.

(2) Appendix C.1, Procedures for Sampling Surface/Bulk Dust Loading, and Appendix C.2, Procedures for Laboratory Analysis of Surface/Bulk Dust Loading Samples, as contained in Compilation of Air Pollutant Emission Factors (AP-42), as published by the U.S. EPA, or equivalent methods as approved by the Executive Officer, the California Air Resources Board and the U.S. EPA, shall be used to determine the silt loading value.

(3) A method approved as accurate by the Executive Officer shall be used to determine the weight of truck exterior surface material and material silt deposits.

(i) Compliance Determination and Performance Information

(1) For facilities subject to sub-division (d), each calendar quarter, if the facility operator selects the silt loading standard for that calendar quarter, and for all other operators once every calendar year, the facility operator shall perform the following tests pursuant to paragraphs (d)(7) and subdivision (h). Records of tests shall be maintained for a period of two years and shall be made available to District personnel upon request. Results of the test shall be submitted to the Executive Officer within 45 days after completion of each test. For facility operators testing once each calendar year, the test results shall be for information only, not for

compliance determination. Silt loading tests shall be performed on the following roads or surfaces:

(A) On one paved road outside the facility, used by trucks transporting material, within one quarter mile of the exit of the facility; and

(B) On one road between the truck wash or truck cleaning area and the facility exit;

(2) For facilities subject to subdivision (d), each calendar quarter the facility operator shall conduct a test to show compliance with paragraph (d)(15) by sampling truck-trailer exterior surface material on one out-going material transport truck.

(j) Recordkeeping Requirements

The facility operator shall maintain all records at the facility for a period of two years and make them available to AQMD staff upon request.

(k) Exemptions

(1) The provisions of paragraph (d)(9) shall not apply to:

(A) Material feed conveyor(s) existing prior to June 11, 1999 which are interrupted by the conveyor shuttle, traveler or tripper, provided that the entire length of the feed conveyor(s) is equipped with permanent wind screens.

(B) Underground conveyors. This exemption shall only apply to those sections of the conveyors which are underground.

(C) Conveyors located inside enclosed storage. This exemption shall not apply to those sections of the conveyor which are outside of the enclosed storage.

(D) That portion of an existing conveyor belt that contains the tensioner.

(2) The provisions of paragraph (d)(12) shall not apply to prilled sulfur when the freeboard is, in no place, less than 3 feet.

(3) The provisions of this rule shall not apply to the storage, handling, and transport of molten sulfur.

(4) The provisions of paragraph (d)(2) shall not apply to the deposit of coke in separation ponds or that has a moisture content of at least 12% in coker pits, slurry bins, and coke dewatering truck loading bins.

(5) The provisions of paragraph (d)(7) and (e)(5) shall not apply to the specific section of road where public vehicle through-traffic is denied access due to a construction project or road repair.

(6) The provisions of paragraph (d)(11) shall not apply to existing shiploaders permitted prior to June 11, 1999, for loading coal onto ships with a beam length greater than 105 feet whenever all of the following are met:

(A) The facility operator shall maintain a log of the date, time, loading rate, ship capacity, and duration of each use of the headbox by-pass;

(B) A maximum of ten ships with a beam length greater than 105 feet per calendar year are loaded under this exemption and the facility operator demonstrates to the Executive Officer's satisfaction that only the offshore side of the vessel is loaded without the required control equipment;

(C) The shiploader shuttle boom is not long enough to allow discharge through the telescoping spout to reach the far side of that ship's hatch without using the headbox by-pass;

(D) The facility operator notifies the AQMD 48 hours before shiploading is scheduled to commence; and,

(E) The shiploader is not reconstructed or replaced after June 11, 1999.

(7) The provisions of paragraph (d)(2) shall not apply to the following, provided the material or coke is removed within 48 hours and a permanent record is made and the District is notified within the first 24 hours of the incident:

(A) Material taken off a conveyor because it is refused by a ship, or material that is associated with the abatement of a hot coke (greater than 120 degrees Fahrenheit) incident; or,

(B) Coke, up to 700 tons, that is incompletely processed from a refinery coker.

(8) The provisions of paragraph (d)(2) shall not apply to moist material or material associated with a"hot coke" incident being actively transported in a front-end loader.

(9) The provisions of paragraphs (d)(2) and (e)(10) shall not apply to coal inside railcars that originated from outside California, provided the coal is moistened upon arrival at a District permitted facility so as to prevent fugitive emissions pursuant to paragraph (d)(1).

(10) Provisions of paragraph (d)(2) shall not apply to facilities performing routine maintenance/repair of replacing component parts on/in enclosed storage structures, such as roofing and siding material, providing the following conditions are met:

(A) the facility notifies the District, in writing or electronically, at least 10 working days prior to any maintenance/repair activity, of the intent to perform the maintenance/repair and the dates for the activity;

(B) the surface area of components being replaced does not exceed 2% of the total structure surface area;

(C) the duration for maintenance/repair shall not exceed 14 days;

(D) during the maintenance/repair, no materials shall be actively moved or disturbed in the structure;

(E) no visible emission shall be observed; and

(F) any water spray system or air pollution control equipment associated with the structure will be in use as needed to prevent visible emissions during the maintenance/repair operation.

(11) The provisions of paragraph (d)(2) shall not apply to deposits of material in permanent water recycling system dewatering beds, existing prior to July 11, 2008, provided that:

(A) they are totally enclosed by wind fences, stand alone structures, with a maximum porosity of 20%, to reduce windblown dust escaping from the beds and tall enough to provide at least three feet of visible freeboard from the top of the material at all times, to provide wind sheltering, no later than November 11, 2008; and

(B) the surface stabilization is maintained at a moisture content of not less than 12%, at all points, including during material removal; and

(C) no visible emissions shall be observed and shall be visually monitored for, and observations recorded, daily.

John Gioia (say "Joy-a")
District One
Board of Supervisors

Contra Costa County

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March 17, 2015

Mayor Tom Butt
City of Richmond
440 Civic Center Plaza
Richmond, CA 94804

Dear Mayor Butt:

I know that the City Council is considering the adoption of a resolution on tonight's agenda (Item I-1) regarding transportation and storage of petroleum coke and coal materials. The resolution includes calling on the Bay Area Air Quality Management District to regulate the storage, handling and transportation of coal and petcoke and to adopt a regulation that mirrors the South Coast Air Quality Management District's Rule 1158.

As a member of the Bay Area Air Quality Management District Board, I wanted to let you know that the Air District is currently working on amending its Regulation 6, Rule 1: General Requirements for Particulate Matter to address the issue of fugitive emissions from facilities that store and handle coke. The proposed amendments to Regulation 6-1 are designed to reduce particulate matter emissions from several different sources, including facilities that store and handle coke. Air District staff has observed that emissions from these facilities can come from windblown dust from storage piles, coke dust kicked up by truck tires, poorly operating water sprays, and other parts of the operation.

There will be public workshops to gather public input on these draft amendments in the second quarter of 2015. After staff considers this public feedback and makes any changes to the rule amendments, the final Regulation will come to the Air District Board of Directors for adoption later in 2015. I will keep you and the City Council informed as the rule amendments go forward.

Thanks for focusing on this important public health issue.

Very Truly Yours,

John Gioia
Chair, Board of Supervisors

PORT OF OAKLAND

MEMO

TO: Mr. Richard Sinkoff, Director of Environmental Programs and Planning

FROM: Ms. Anne Whittington, Environmental Assessment Supervisor

DATE: February 19, 2014

SUBJECT: Environmental Issues Associated With Handling Export Coal

On December 20, 2013, staff were asked to prepare an analysis of issues associated with handling export coal cargo based on proposals received by the Port of Oakland (Port) in response to the Howard Terminal Request for Proposals (RFP) No. 13-14/06. Mr. Jerry Jakubauskas, Assistant Environmental Planner, and I prepared this memo in response to that request.

The Trafigura/Impala/Bowie proposal describes their proposed bulk cargo, including coal, in some detail, so the analysis below is based on information in their proposal. Their projected annual throughput volume by the 5th year of operations is 8.3 million tons, consisting of coal (4.0 million tons), iron ore fines (2.0 million tons), iron ore pellets (1.0 million tons), petroleum coke (1.0 million tons) and borax (0.3 million tons).

The CCIG/Metro Ports/Kinder-Morgan proposal did not contain enough information to evaluate proposed uses, but we note that this proposal also appeared to indicate coal as one of the possible commodities that could be handled at Howard Terminal.

The environmental issues associated with handling export coal at Howard Terminal (Berths 67-68) can be parsed into three broad areas based on location and the Port's ability to control or address relevant environmental issues. Some of the topics for environmental analysis are identified below:

Terminal site (most control)

- Fugitive coal dust and local air quality. The Port should require that the facility be state of the art (storage domes or silos to store coal; enclosed conveyor and ship-loader systems). This is technically feasible, and is largely described in the proposal.
- Bituminous coal, one of the proposed cargo types, is associated with a risk of explosions; the proposer noted in a clarification letter dated January 8, 2014 that "coal is subject to spontaneous combustion under the right conditions" (p. 8)
- Train lengths of up to 1.5 miles and rail crossings in surrounding areas and within the port.
- New spur tracks and other Port operations.
- Deepening dredging of Berths 67-68 (and associated environmental and permit review) could potentially be required to accommodate larger and more heavily laden vessels than those now calling at Howard Terminal.
- Terminal redevelopment would trigger the latest storm water regulations.
- Visual impacts of the proposed eleven 190 ft. wide by 150 ft. high storage domes.
- Noise impacts of the loading, unloading and conveyor systems.
- Increased rail traffic could reduce previously approved and mitigated rail capacity for future

container cargo at the Port of Oakland.

- Construction of a 4,000 ft. long underground conveyor transport system in 10 ft. by 8 ft. tunnels to serve the storage domes will likely encounter hazardous materials in the soil and groundwater, and will require the developer to remediate as needed and install a protective cap in accordance with the "Covenant to Restrict Use of Property, Environmental Restriction, The Charles P. Howard Terminal Site, Oakland, Alameda County" that has been recorded with Alameda County on March 3, 2003. This would be true of any development that involves ground disturbance and digging, but hazardous materials management becomes a larger issue with the extensive soil disturbance proposed by an underground conveyor system. The weight of the proposed bulk cargo on the terminal could affect migration of the plume of hazardous coal tar located underneath the existing cap.
- Potential legal challenges may delay implementation of the project.
- Diesel particulate matter from train engines (although Trafigura/Impala/Bowie proposes Tier IV switch locomotives to reduce those impacts) and the emissions from Oakland's overall cargo growth have already been analyzed and mitigated[1]. The railroads (BNSF and UP) have a memorandum of understanding with the California Air Resources Board (CARB) about locomotive emissions.

Transport of coal from source to terminal (moderate control)

- BNSF representatives testified at a 2009 U.S. Department of Transportation Rail Energy Transportation Advisory Committee meeting[2] that, over a 400-mile trip, 645 pounds of coal dust were lost per car. With an average coal train length of 125 cars, 80,625 pounds of fugitive coal dust would be released into the surrounding environment per 400-mile trip.
- Although BNSF now requires that coal loading operators apply a surfactant, which can reduce coal dust by up to 85 percent, it is estimated that approximately 15 percent (12,000 pounds or 6 tons) is still being released into the environment and adjacent communities over the course of a 400-mile journey. Furthermore, coal dust may be deposited on ballast (the rock that lines the tracks) resulting in potential future clean-up requirements for ballast along the length of the track.
- The approximate distance from Utah and Colorado to the Port of Oakland is 800 to 1,200 miles, so Port staff estimate that 12 to 18 tons of coal dust could be lost during a trip from mines in those areas to the Port (other coal mining areas such as Wyoming and Montana are in the range of 1,100 miles from Oakland).
- The effect of train lengths of up to 1.5 miles on rail crossings in communities along the rail line and noise from train safety horns and rail crossing barriers.
- While studies recommend that coal rail cars should be covered to avoid release of coal dust, that is not yet a standard industry practice in the United States. If all rail cars are completely covered throughout the trip, as Bowie is proposing, this may considerably reduce, or even eliminate, the loss of coal dust.

[1] Emissions from overall cargo throughput at the Port of Oakland were analyzed and mitigated through environmental documents considered and adopted by the Board of Port Commissioners: "Oakland Army Base Area Redevelopment Plan Environmental Impact Report" (2002), "2012 Oakland Army Base Project Initial Study/Addendum" (2012), and Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (2012).

[2] http://www.stb.dot.gov/stb/docs/RETAC/2009/September2009/Minutes%209-10-09.pdf

Coal consumption in Asia (little or no control)

- The proposed project may run counter to California climate change policy that supports reductions in global greenhouse gas (GHG) emissions, such as those produced by coal-fueled plants, to slow down climate change. Increased GHG concentrations in the atmosphere promote global warming, with increased ocean temperatures leading to sea level rise.
- The California Assembly passed, and Governor Jerry Brown signed, Joint Resolution 35, Chapter 139 - Relative to exportation of coal[3], which urges the President and Congress to restrict waterborne export of coal for electricity generation to any nation that fails to adopt regulations on GHG or hazardous air emissions as restrictive as those adopted by the U.S., or to secure and approve international agreements that result in emissions reductions equal to those in the U.S.
- International trade of cheap coal as compared to cleaner domestic energy sources, such as solar and wind.
- The potential for increased acid rain and atmospheric mercury deposition in the Pacific Ocean and Western U.S. from particulates that travel from Asia to North America due to wind patterns.

CEQA/NEPA and permits

The Port as lead agency will determine the type of California Environmental Quality Act (CEQA) document (i.e., Initial Study [IS]/Negative Declaration [ND], IS/Mitigated Negative Declaration [MND], or Environmental Impact Report [EIR]), the subject matter covered, public outreach procedures and schedule, document review cycles and other matters pertinent to cost and schedule.

Preparation and approval of a ND or MND may take six to nine months to complete, while an EIR may take a year or longer to complete. Time frames could be further extended, depending on the environmental topic studies required, the level of controversy, the number of comments, and any legal challenges. An EIR may be warranted to protect the project from certain types of legal challenge.

A permit from the San Francisco Bay Conservation and Development Commission (BCDC) would be required for new construction since most of Howard Terminal is within the BCDC jurisdictional area. Permit approval would take approximately nine months or longer, and BCDC would likely require public access mitigation for new construction. Furthermore, due to existing environmental deed restrictions, coordination with and approvals from the Department of Toxic Substances Control would also be required.

Any in-water work, such as berth deepening, that is not covered by an existing U.S. Army Corps of Engineers regulatory permit may necessitate environmental review under the National Environmental Policy Act (NEPA).

[3] http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AJR35

Potential controversy and other coal export facilities

Opposition to a coal export facility could come from the State of California (see attached California Assembly Joint Resolution 35, Chapter 139 - Relative to exportation of coal) and from any number of environmental and community groups that have expressed public concern regarding potential local, regional, and global impacts of U.S. ports exporting coal to Asia, and the harmful effects of burning coal on global warming and sea-level rise. Furthermore, U.S. Environmental Protection Agency staff wrote a letter to the U.S. Army Corps of Engineers about the potential health impacts, controversy, and endangered species impacts of coal export facilities, along with the need to examine cumulative impacts from the mine to the final user in Asia[4]. See *Figure 1: Major North American Coal Ports* for a summary of major coal ports in North America. Current coal terminal facility proposals facing tremendous public scrutiny include:

Gateway Pacific Terminal (Bellingham, WA)

- Opposed by community, environmental and local Native American groups
- Terminal, transport, and foreign consumption issues similar to those previously mentioned for Howard Terminal

Millennium Bulk Terminal (Longview, WA)

- Over 163,000 comments received on scope of environmental review
- Opposed by community and environmental groups
- Terminal, transport, and foreign consumption issues similar to those previously mentioned for Howard Terminal

Based on this information, the Port could be involved in protracted discussions and potential litigation regarding operation of a coal export facility.

West Coast coal terminals no longer operating

Port of Portland (1980s)

- Coal market proved to be unstable and unreliable

Port of Los Angeles (1997-2006)

- Demand failed to meet minimum annual guarantee requirements and the terminal was shut down.

Existing coal and petroleum coke terminals in California

Port of Long Beach - Metro Ports (Pier G)

- Terminal supports the receipt, storage and vessel loading of coal and petroleum coke sold for export and consists of six enclosed petroleum coke and coal storage facilities
- Terminal is 23 acres (Howard Terminal is 50 acres), with covered storage for 540,000 tons
- Other handled products include potash, borax, sodium sulfate, soda ash, concentrates, and prilled sulfur

Port of Benicia - Benicia Industries (Wharf No. 95)

- Exports petroleum coke and petroleum products

[4] http://media.oregonlive.com/environment_impact/other/EPA%20letter%20about%20PEIS.PDF

Port of Stockton

- Exports 2.3 million tons of coal per year

Attachment: *California Assembly Joint Resolution 35, Chapter 139, Relative to exportation of coal*

cc: Anne Whittington, Environmental Programs and Planning
Jerry Jakubauskas, Environmental Programs and Planning
Delphine Prévost, Maritime

Figure 1: Major North American Coal Ports

TERMINAL	TONNAGE CAPACITY	TERMINAL	TONNAGE CAPACITY
Armstrong Coal Terminal	6-10 million st	Millennium Bulk Terminals	5.7 million st, but initial permit pulled
Burnside Bulk Marine	10 million st	Mobile River Terminal	3-5 million st
Chesapeake Bay Terminal	4 million st	Neptune Terminals	12.5 million mt
CNX Marine	12 million st	Pier IX	14 million st
Dominion Terminal Associates	20 million st	Port of Coos Bay	6-10 million st
Fairless Hills	1 million st	Port of Corpus Christi	2 million st
Gateway Pacific Terminal	24-48 million st	Port of St. Helens	10-15 million st
IC Rail Marine	8 million st	Port of St. Helens/Port of Morrow	3.5 million st
International Marine Term. (IMT)	6 million st	Ridley Terminals	12-24 million mt
Kinder Morgan Bulk Terminal	2.2 million st	Shipyard River Terminal	2.5 million st
Lamberts Point	30 million st	Tampaplex	1 million st
Lazaro Cardenas	6 million mt	United Bulk Terminal	17 million st (includes domestic)
Los Angeles/Long Beach	300,000 st	Westshore Terminals	27-33 million mt
McDuffie Coal Terminal	12 million st		

Source: Platts, McGraw-Hill Financial, http://www.platts.com/news-feature/2012/coaltransport/map, accessed February 19, 2014.

California LEGISLATIVE INFORMATION

AJR-35 Exportation: coal. (2011-2012)

Assembly Joint Resolution No. 35

CHAPTER 139

Relative to exportation of coal.

[Approved by Governor September 18, 2012. Filed with Secretary of State September 18, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 35, Williams. Exportation: coal.

This measure urges the President of the United States and the 112th Congress to enact legislation to restrict the transshipment for waterborne export of coal for electricity generation to any nation that fails to adopt rules and regulations on the emissions of greenhouse gases or hazardous air emissions that are at least as restrictive as those adopted by the United States or, in the alternative, to secure and approve international agreements to ensure all nations adopt regulations and technology that result in emissions reductions equal to those in place in the United States. The measure would urge the Governor of California to inform the Governors of the States of Oregon and Washington of the significant health risks to the people of the Pacific Coast states if large coal export terminals and coal transport expansions are licensed and permitted to operate on or near the coast of the States of Oregon and Washington.

Fiscal Committee: yes

WHEREAS, California law requires electricity providers to procure not less than 33 percent of retail sales of electricity from renewable energy resources by December 31, 2020; and

WHEREAS, California has emerged as a global leader in the transition from fossil fuel dependence to a clean energy economy; and

WHEREAS, California law limits long-term investments in baseload generation by utilities to powerplants that meet strict greenhouse gas emissions standards. According to the State Energy Resources Conservation and Development Commission, no existing coal plant has demonstrated that it currently complies with the greenhouse gas emissions limit on long-term investments in baseload generation; and

WHEREAS, The United States Environmental Protection Agency in December 2011 issued regulations requiring coal -fired powerplants to significantly reduce emissions of mercury, arsenic, and other toxic pollutants within four years; and

WHEREAS, Hazardous emissions from coal powerplants threaten health locally and at great distances; and

WHEREAS, Coal exports from United States ports to Asia have risen by almost 240 percent from 3.8 million tons in 2009 to over 13 million tons in 2010; and

WHEREAS, The environmental consequences of massive coal exports to Asia are severe, including the burning of millions of tons of coal that releases hazardous air emissions into the atmosphere and increased mountaintop removal projects; and

WHEREAS, Burning coal for electricity generation worldwide is the main cause of greenhouse gas emissions and the planetary climate crisis; and

WHEREAS, Coal burning has contributed to significant human health risks in all age groups through the emissions of ozone, sulfur dioxide (SO2), particulate matter, nitrogen oxides (NOx), mercury, and carbon dioxide (CO2); now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature urges the President of the United States and the 112th Congress to enact legislation to restrict the transshipment for waterborne export of coal for electricity generation to any nation that fails to adopt rules and regulations on the emissions of greenhouse gases or hazardous air emissions that are at least as restrictive as those adopted by the United States or, in the alternative, to secure and approve international agreements to ensure all nations adopt regulations and technology that result in emissions reductions equal to those in place in the United States; and be it further

Resolved, That the Legislature urges the Governor of California to inform the Governors of the States of Oregon and Washington of the significant health risks to the people of the Pacific Coast states if large coal export terminals and coal transport expansions are licensed and permitted to operate on or near the coast of the States of Oregon and Washington; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the President pro Tempore of the United States Senate, the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

AGENDA ITEM REQUEST FORM

Department: Finance Department **Department Head:** James Goins **Phone:** 620-6740

Meeting Date: 5/19/2015 **Final Decision Date Deadline:**_____

STATEMENT OF THE ISSUE: Staff is requesting that the City Council review proposed street paving program options using Measure U funds, and provide direction on the next steps.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐**Other**_____

ITEM _____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☐ **Other** _____

☐ **Contract/Agreement** ☒ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: REVIEW options for an augmented street paving program using Measure U funds, and provide direction to staff - Finance Department (James Goins 620-6740). This item was continued from the April 7 and 21, 2015, and May 5, 2015, meetings.

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

G-3.

FINANCE DEPARTMENT

AGENDA REPORT

DATE: May 19, 2015

TO: Mayor Butt and Members of the City Council

FROM: James Goins, Financing Manager

SUBJECT: PROPOSED 2015 STREET PAVING PROJECT

STATEMENT OF THE ISSUE:

Staff is requesting that the City Council review proposed street paving program options using Measure U funds, and provide direction on the next steps.

RECOMMENDED ACTION:

Review options for an augmented street paving program using Measure U funds, and provide direction to staff.

FINANCIAL IMPACT OF RECOMMENDATION:

Financial impacts of various paving program options are described in this staff report.

DISCUSSION:

Staff has previously provided to the City Council an analysis of various strategies for an augmented street paving program using Measure U funds. This report is intended to build on these prior analyses, and on specific direction by the City Council, to present additional program options. These options encompass both "pay-as-you-go" and bond financing strategies.

Staff has developed six different options for implementing an augmented street repair program. All of these options include using Measure U sales tax proceeds for $2.8 million in local matching funds for grant funded street improvement (previously authorized by the Council), but have variable elements for use of in-house street paving crews, and have different elements of a short-term, accelerated program using debt financing. These options are:

<u>Option 1 – Maximum Use of Debt Financing</u>

- Increase expenditures by $3.75 million annually from Measure U proceeds for a street

improvement bond issue, yielding project funds in the amount of $43 million for a 15-year bond, and $59 million for a 30-year bond. Project funds would be available over a five year period.

- No increase in staffing for the in-house paving crew.

Option 2 – Hybrid Approach: Enhanced Paving Crew with Some Debt Financing

Increase expenditures by $4.25 million from Measure U proceeds with funding to be used as follows:

- Augment staffing and equipment for a paving crew to complete "mill and fill" paving and to enhance ad hoc pothole repair;

- Use remaining funds for a bond issue that provides $28 million in project budget from a 15-year bond, or $40 million from a 30-year bond. Project funds would be available over a five year period, and could be used for preventive maintenance, reconstruction and concrete work that is not performed by City staff.

Note: Staff is recommending that this Option 2 be approved by the City Council; using an approximate $28 million bond measure paid over a 15-year period. It allows the City to front load the street improvements, resulting in a more immediate impact on the Pavement Condition Index (PCI) but at a lower cost of funds than a 30-year bond; and augments use of the paving crew for flexibility in approaching the work. The PCI increases by 10 basis points in the first five years of the program to a "good" range, and achieves the highest PCI of all of the options after a 10-year period, 13 basis points higher than the current measure.

Option 3 – Hybrid Approach; Enhanced Paving Crew with Less Debt Financing and Lesser Allocation of Measure U Funds

Increase expenditures by $3.75 million annually from Measure U proceeds with funding to be used as follows:

- Augment staffing and equipment for a paving crew to complete "mill and fill" paving and to enhance ad hoc pothole repair;

- Use remaining funds for a bond issue that provides $20 million in project budget from a 15-year bond, or @29.5 million from a 30-year bond. Project funds would be available over a five year period, and could be used for preventive maintenance, reconstruction and concrete work that is not performed by City staff.

Option 4 – Pay-As-You-Go Approach:

Increase expenditures by $3.75 million annually from Measure U proceeds all for a pay-as-you-go program. This scenario allows for a fully staffed and equipped paving crew to complete "mill and fill" paving, but leaves a minimal amount available for any other types of paving treatments.

Option 5 –Pay-As-You-Go Approach with Higher Level of Measure U Funding:

Increase expenditures by $4.25 million annually from Measure U proceeds all for a pay-as-you-go program. This scenario allows for a fully staffed and equipped paving crew to complete "mill and fill" paving, but leaves a minimal amount available for any other types of paving treatments.

Option 6 – Pay-As-You-Go Approach with Varying Level of Measure U Funding:

Increase expenditures by $5.65 million annually from Measure U proceeds in years 1 – 5, and then decrease to $2.25 million annually in years 6 – 15.

- Augment staffing and equipment to complete "mill and fill" paving and to enhance ad hoc pothole repair;

- Use remaining funds in years 1 – 5 as project funding to be used for preventive maintenance, reconstruction and concrete work that is not performed by City staff. Beginning in year six, there would be a minimal amount available for other types of paving treatments.

Attachment 1 provides a side-by-side comparison of the results of these strategies.

Description of Paving Work

A robust paving program includes a variety of pavement treatments, depending upon the condition of the street being treated. For example, preventive maintenance, rehabilitation, and reconstruction treatments are appropriate for streets in good, fair, and failed condition, respectively.

Examples of preventive maintenance treatments for streets in good condition include:

- Slurry seals
- Microsurfacing, and
- Cape seals.

Examples of rehabilitation treatments for streets in fair condition include:

- Mill and fill
- Rubberized hot mix asphalt
- Cold-in-place recycling, and
- Warm mix asphalt.

Examples of reconstruction treatments for failed streets include:

- Conventional reconstruction and full depth reclamation, and
- Full depth reclamation.

Concrete work, such as ADA curb ramp construction, sidewalk repair, and curb and gutter repair is required when performing rehabilitation and reconstruction treatments.

The City's Public Works Streets Maintenance crews currently perform "mill and fill" pavement

rehabilitation treatments only. In-house crews do not do concrete work, preventive maintenance work on good streets, reconstruction work on failed streets, or alternative treatments on fair streets. Each of these types of work requires special equipment in addition to specialized training. The unit cost per square yard for the city paving crew averages $25.00 per square yard, compared to $15.25 for a contract crew.

As a result of the dry weather during the past winter months, paving crews have been able to continue paving on a constant basis, and are now ahead of schedule. Council approval of the staff recommendation will provide an opportunity for city paving crews to aggressively begin the construction of additional paving improvements funded by Measure U.

Consideration of Financing Improvements vs. Pay As You Go Strategy

There has been considerable concern regarding the cost of financing capital improvements and using a portion of the Measure U funds to repay debt as an alternative to using Measure U funds directly to fund street improvements under a pay as you go program. It is important to consider the escalating costs of materials and labor over several years, as compared to the cost of borrowing funds.

Pay As You Go

As part of the analysis of the true costs of pay-as-you-go, staff reviewed the all-time average of the Construction Costs Index for the San Francisco Bay Area (CCI). The CCI results indicated an average increase of 4% annually. Using these assumptions, the present value of spending $3.75 million annually of Measure U funds is $8 million and $20 million for 15 and 30 years, respectively.

Financing

Current bond market conditions indicate assumed rates of 3.5% to 4.2% for the bond scenarios., which provides an immediate project fund of $28 million for a 15 year bond and $41 million for a 30 year bond. Annual debt service for either bond is $2.4 million. Dedicating $4.25 million of Measure U funds annually to street paving would allow the City to issue bonds in either of these amounts, and increase the size of the current street paving crew by twelve persons, thus maximizing their capacity.

Summary

Staff is recommending that Option 2, outlined above, be approved by the City Council, using an approximate $28 million bond measure paid over a 15-year period. It allows the City to front load the street improvements, resulting in a more immediate impact on the Pavement Condition Index (PCI) but at a lower cost of funds than a 30-year bond; and augments the use of the paving crew for flexibility in approaching the work. The PCI increases by 10 basis points in the first five years of the program to a “good: range, and achieves the highest PCI of all of the options after a 10-year period, 13 basis points higher than the current measure.

DOCUMENTS ATTACHED:
Attachment 1 – Comparison Chart of all Funding Options
Attachment 2 – Unit Cost

		1		2		3		4	5	6
		$59 million bond for 30 years	$43 million bond for 15 years	$40 million bond for 30 years	$28 million bond for 15 years	$29 million bond for 30 years	$20 million bond for 15 years	Pay As You Go $3.75 million Measure U	Pay As You Go $4.25 million Measure U	Pay As You Go 75% Measure U in Years 1 -5; 30% Measure U in Years 6-15
	Measure U Revenues	$ 3,750,000	$ 3,750,000	$ 4,250,000	$ 4,250,000	$ 3,750,000	$ 3,750,000	$ 3,750,000	$ 3,750,000	
Project Details	Annual Mill and Fill (Years 1- 15)	$ 4,705,400	$ 4,705,400	$ 6,877,003	$ 6,877,003	$ 6,950,000	$ 6,950,000	$ 8,750,000	$ 8,750,000	$ 6,877,003
	Annual Mill and Fill (Years 16 and beyond)	$ 4,705,400	$ 6,505,400	$ 6,877,003	$ 9,077,003	$ 6,950,000	$ 8,750,000	$ 8,750,000	$ 8,750,000	$ 7,250,000
	Additional Paving Treatments (Total Years 1 - 5)	$ 59,000,000	$ 43,200,000	$ 40,000,000	$ 28,000,000	$ 29,000,000	$ 20,000,000	$ -	$ -	$ 18,700,000
	Annual Debt Service	$ 1,800,000	$ 1,800,000	$ 2,200,000	$ 2,200,000	$ 1,800,000	$ 1,800,000	$ -	$ -	$0.00
	Term of Debt	30 years	15 years	30 years	15 years	30 years	15 years	N/A	N/A	N/A
Paving Crew	Superintendent	1	1	1	1	1	1	1	1	1
	Const. Maint. Supv.	1	1	1	1	1	1	1	1	1
	Maint. Lead Wrkr	1	1	1	1	1	1	1	1	1
	Equip Optr	4	4	6	6	6	6	6	6	6
	Maint. Wrkr I/II	10	10	10	10	10	10	10	10	10
	Maint Aid (RichmondBUILD)	0	0	6	6	6	6	6	6	6
PCI Results	Current	62	62	62	62	62	62	62	62	62
	12/31/2015	68	67	68	67	67	66	65	66	66
	12/31/2019	77	73	75	72	70	69	66	67	68
	12/31/2029	76	73	78	75	74	73	74	75	72

Pavement Condition Index

	100
Very Good	80
Good	70
Fair	50
Poor	25
Very Poor/Failed	0

Street Paving Costs

Public Works streets maintenance crews typically perform “2 inch mill and 2 inch fill” pavement treatments on Local/Residential streets. Unit costs for self-performed “mill and fill” pavement rehabilitation treatments are included in the table below. Data is available for the last three fiscal years. The data for the current fiscal year is limited to July, 2014, through December, 2014, and presumes 50% of the current fiscal year’s budget was expended during the first six months of the fiscal year. The streets maintenance crews also perform non paving work such as pothole repair, storm preparation work, and additional tasks throughout the year. The expenditures for non-paving work have not been extracted from the unit costs. Budget figures include salaries and benefits, equipment, and materials.

Self-Performed Unit Costs (FY 2009-10 to FY 2014-15)

Fiscal Year	Budget	Square Yards Paved	Unit Cost
FY 2012-13	$4,091,015	166,713	$24.54
FY 2013-14	$3,959,585	148,585	$26.65
FY 2014-15	$1,769,748	58,642	$30.18

Contractors perform pavement treatments for a variety of condition categories (e.g. good, fair, poor, failed) and all functional classes (Arterial, Collector, Local/Residential). Unit costs for contracted “mill and fill” pavement rehabilitation treatments are included in the table below. Data is current for this fiscal year. Contracted work such as concrete repairs, pavement preventive maintenance, and pavement reconstruction, are not included in the unit costs.

Contracted Unit Costs (FY 2014-15)

Pavement Condition Category	Collector	Local/Residential
Fair	$16.50	$13.20
Poor	$20.90	$16.50

Public Works streets maintenance crew employees receive salaries and benefits continuously throughout the fiscal year, including when performing non-paving work such as pothole repair, storm preparation work, and additional tasks. The City pays the contractor only for work performed. The data indicates self-performed “mill and fill” work is more costly than contracted “mill and fill” work.

AGENDA ITEM REQUEST FORM

Department: PLANNING **Department Head:** RICHARD MITCHELL **Phone:** 620-6706

Meeting Date: 5/19/2015 **Final Decision Date Deadline:**_____

STATEMENT OF THE ISSUE: In collaboration with Pogo Park and Local Government, the City of Richmond prepared the Iron Triangle Yellow Brick Road (YBR) Walkable Neighborhood Plan (Plan). Walkability and bikeability improvements are proposed on the YBR network, which are community-designated routes that connect key destinations in the Iron Triangle. Staff is seeking City Council approval to include the Plan as an appendix to the Pedestrian Plan and apply for upcoming grant funding for construction of certain improvements identified in the plan.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐**Other**_____

ITEM _____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☒ **Other**

☐ **Contract/Agreement** ☒ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: ADOPT a resolution adopting the Yellow Brick Road Iron Triangle Walkable Neighborhood Plan as an appendix to the City of Richmond Pedestrian Plan – Planning and Building Services Department (Richard Mitchell 620-6706). This item was continued from the April 28, 2015 agenda.

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

G-4.

AGENDA REPORT

PLANNING AND BUILDING SERVICES DEPARTMENT

DATE: May 19, 2015

TO: Mayor Butt and Members of the City Council

FROM: Richard Mitchell, Director of Planning and Building Services
Lina Velasco, Senior Planner

SUBJECT: YELLOW BRICK ROAD IRON TRIANGLE WALKABLE NEIGHBORHOOD PLAN

STATEMENT OF THE ISSUE:

In collaboration with Pogo Park and Local Government, the City of Richmond prepared the Yellow Brick Road (YBR) Iron Triangle Walkable Neighborhood Plan (Plan). Walkability and bikeability improvements are proposed on the YBR network, which are community-designated routes that connect key destinations in the Iron Triangle. Staff is seeking City Council approval to include the Plan as an appendix to the Pedestrian Plan and apply for upcoming grant funding for construction of certain improvements identified in the plan.

RECOMMENDED ACTIONS:

ADOPT a resolution adopting the Yellow Brick Road Iron Triangle Walkable Neighborhood Plan as an appendix to the City of Richmond Pedestrian Plan.

FINANCIAL IMPACTS:

The City of Richmond is preparing a competitive grant application for approximately $7 million for the Caltrans Active Transportation Program (ATP) to construct certain Yellow Brick Road Iron Triangle Neighborhood Plan recommended improvements for the “Root” and “Trunk” routes. The Statewide ATP grant application does not require a match; however, the regional ATP program does except that waivers can be granted for identified Communities of Concern. Portions of Richmond are considered Communities of Concern by MTC.

BACKGROUND:
Caltrans awarded an Environment Justice Planning Grant for the Yellow Brick Road Iron Triangle Neighborhood Plan to the City of Richmond, Pogo Park, and the Local Government Commission in 2012. The project partners selected Fehr & Peers to lead the transportation planning and engineer portions of the Plan. The Yellow Brick Road concept was conceived by local youth living in the Iron Triangle neighborhood as a way to safely link key areas in the neighborhood through bright yellow brick patterns on the sidewalks and roadways. While the Yellow Brick Road idea originated in the Iron Triangle neighborhood, it is a model for neighborhood planning and creating safe routes to key destinations that can be replicated in neighborhoods throughout Richmond and beyond. The Yellow Brick Road concept was first identified through the City of Richmond's Pedestrian Plan (2011).

DISCUSSION:
The purpose of the Plan is to build upon the work of the Pedestrian Plan to further define and develop pedestrian improvements in the Iron Triangle neighborhood. First, the Plan presents the Yellow Brick Road network, which is a community-defined network of proposed pedestrian routes linking important neighborhood destinations, such as Peres Elementary School, Elm Play Lot, Lincoln Elementary School, Richmond Greenway, and Richmond BART Station, among others. The Plan then defines issues, opportunities, and enhancements that can be made along all of the routes, with a focus on the "Root" and "Trunk" highest priority projects. Enhancements include safety and comfort improvements for pedestrians such as new and enhanced crosswalks, sidewalk gap closure and repair, and traffic calming measures in addition to identifying opportunities for decorative treatments, such as yellow brick crosswalks; art projects; wayfinding signage to neighborhood destinations; landscaping; and lighting. Concept plans and cost estimates are included for the "Root" and "Trunk" routes which consist of Pennsylvania Avenue, portions of 7th Street, Elm Avenue, 8th Street, 16th Street, and the Richmond Greenway Trail Crossings.

Plan Highlights

- The Iron Triangle Neighborhood is generally bounded by the Richmond Greenway to the south, Richmond Parkway to the west, and BART/Amtrak rail lines to the east

- The "Yellow Brick Road" is an idea conceived of by Iron Triangle high school students who wanted to create "safe, green and clean" (the students' words) walking routes through their neighborhood.

- While the Yellow Brick Road idea originated in the Iron Triangle neighborhood, it is a model for neighborhood planning and creating safe routes to key destinations that can be replicated in neighborhoods throughout Richmond and the United States.

- The Yellow Brick Road project is identified as a project in the Pedestrian Plan.

- This Neighborhood Plan is the outcome of an intensive community-driven process to improve the safety, security and desirability of walking for transportation and health in the Iron Triangle neighborhood.

- There were 68 bicycle-auto and pedestrian-auto reported collisions in the Iron Triangle between 2007 and 2012. The community identified pedestrian safety and personal security and comfort as top concerns for the neighborhood.

- When the project began in 2013, a Community Outreach Team was formed to lead the public engagement, consisting of 30 local residents mirroring the demographics of the neighborhood. The Team mapped issues and opportunities regarding pedestrian safety; access to transit, schools, and parks; security; lighting; speeds; vacant houses; and many other elements. The team reported its findings to Dan Burden, a nationally recognized leader in walkability, as well as the rest of consultant team, including the Local Government Commission and Fehr & Peers, over the course of two hands-on workshops/walk audits, on March 6, 2014 and May 8-9, 2014. This formed the basis of the concept designs for the Yellow Brick Road network.

- A 3-D model of the community-preferred design on 7th Street and Elm Avenue was created using temporary materials on October 17-18, 2014. This included demonstrating the roundabout at 7th Street/Elm Avenue and the traffic circle at Elm Avenue/8th Street. The Richmond Fire and Police Departments were engaged with the design, with the Fire Department testing turning movement for their various fire trucks. The final design accommodates Richmond's fleet of fire engines while improving pedestrian safety and calming traffic. Community support was overwhelmingly positive, with flyers distributed to bus drivers, drivers, and passerbys on 7th Street and community events held at the Elm Play Lot.

- On January 26, 2015, the final Plan was presented to the community for additional feedback and discussion.

- Further community engagement is planned in the design and construction phase of the project, for which City staff and Pogo Park are preparing a Caltrans ATP application.

- The Plan emphasizes the importance of the "Root" route as the Phase 1 high-priority project, consisting of walking and biking improvements between Peres Elementary School and Elm Play Lot along Pennsylvania Avenue, 7th Street, and Elm Avenue. The community-preferred concept includes a raised median, pedestrian crossing improvements, and green bike lanes on Pennsylvania Avenue; sidewalk gap closures and crosswalk improvements on 7th Street in addition to a roundabout at 7th Street/Elm Avenue; and converting Elm Avenue

into a "slow street" as a gateway to the Elm Play Lot, including a traffic circle at Elm Avenue/8th Street.

- Additionally, the Plan emphasizes three other "Trunk" route projects that are high priority: 8th Street Bicycle Boulevard improvements between Lincoln Avenue and the Richmond Greenway, 16th Bicycle Boulevard improvements between Richmond BART Station and the Richmond Greenway, and Richmond Greenway Trail Crossing Improvements between 2nd Street and 20th Street.

Consistency with the General Plan and Other Adopted Plans
This Plan is consistent with the City of Richmond General Plan. In particular, this Plan implements *Goal CR1: An Expanded Multimodal Circulation System*, with a focus on safer and more attractive conditions for all modes; "*Goal CR2: Walkable Neighborhoods and Complete Streets*" to make walking and biking for more attractive and enhance connectivity between neighborhoods, schools, and work places; *Goals CR3: A Safe and Well-Maintained Circulation System*, which emphasizes safety and maintenance improvements; and *Goal CR5: Sustainable and Green Practices*, which emphasizes sustainable solutions including stormwater treatment through pedestrian amenities.

The Yellow Brick Road idea was identified in the City of Richmond Pedestrian Plan (2011), which prepared concepts for Pennsylvania Avenue, 7th Street, Elm Avenue, and the Richmond Greenway. The Yellow Brick Road Iron Triangle Walkable Neighborhood Plan builds on the concepts developed in the Pedestrian Plan and makes enhancements and refinements to those concepts based on the latest best practices.

The City of Richmond Bicycle Master Plan (2011) also provides recommendations for bikeways citywide, including through the Iron Triangle. The Plan calls for a Class III bicycle route on 16th Street between the Richmond BART Station and the Richmond Greenway, which this Plan proposes as a Class III Bicycle Boulevard to provide a more comfortable, low-traffic stress bikeway. Additionally, 6th/7th Streets are designated as proposed bicycle boulevards in the Plan, and as a result of traffic calming and walkability improvements proposed for 8th Street, this Plan proposes moving the bicycle boulevard from 6th/7th Streets to 8th Street. This Plan further enhances the existing Class II bicycle lanes on Pennsylvania Avenue by painting them with green paint.

Recommendation from the Bicycle Pedestrian Advisory Committee (BPAC)

The project partners presented the draft Yellow Brick Road Plan to the Richmond BPAC on Monday, May 11, 2015. Overall, the BPAC was supportive of the project, but wanted to discuss changes or conflicts with the adopted Bicycle Master Plan. A lot of BPAC's comments were specifically about 7th Street remaining as the main cycling through-route. The YBR proposes to modify the type of bicycle facility provided on a portion of 7th Street between Ripley and Pennsylvania Avenue from what was recommended in the Bicycle Master Plan (change from a bike boulevard to a class II bike lane). The BPAC wanted to ensure that 7th Street would still have bicycle facilities that would accommodate a through route for people on bicycles since it is one of the few streets

that connects directly to North Richmond. In addition, the BPAC had the following comments: 1) interested in having through access on Nevin Ave at Kaiser and requested that the City work with Kaiser to add more bicycle parking; 2) inquired about funding for maintenance of the proposed improvements; 3) requested that the partners reach out to other community-based organization working on related issues such as safety, health, and neighborhood beautification, to partner on this project; 4) shared that there is a Unity Park team looking at designing improvements to the Richmond Greenway street crossings and the need to coordinate efforts to not duplicate work; and 5) inquired about the West Contra Costa Unified School District's request to make modifications to 8th Street, between Chanslor and Bissell Avenues as part of the Gompers School redevelopment. The BPAC voted to recommend approval of the draft YBR Plan to the City Council and to write a joint letter of support with Bike East Bay for the City's ATP grant application.

NEXT STEPS:

The City is currently preparing a competitive Caltrans Active Transportation Program (ATP) grant application for the "Root" route (Peres Elementary School to Elm Play Lot) and the "Trunk" routes, which consist of 8th Street, Pennsylvania Avenue, and the Richmond Greenway Trail Crossings. If the City Council adopts the Plan as part of the City's Pedestrian Plan, the Iron Triangle Yellow Brick Road Walkable Neighborhood Plan will become an appendix of the Pedestrian Plan and serve as a model for other neighborhood plans. This is important to the ATP Grant Application, as it provides documentation of the project being identified in an adopted planning document. Grant applications for the ATP Program are due on June 1, 2015.

DOCUMENTS ATTACHED:

1. Draft Resolution Adopting the Iron Triangle YBR Plan as an Appendix to the City Pedestrian Plan
2. Draft Iron Triangle Neighborhood Yellow Brick Road Walkable Neighborhood Plan

Yellow Brick Road

Iron Triangle Walkable Neighborhood Plan

Transforming lives by transforming public space.

FEHR & PEERS

City of Richmond

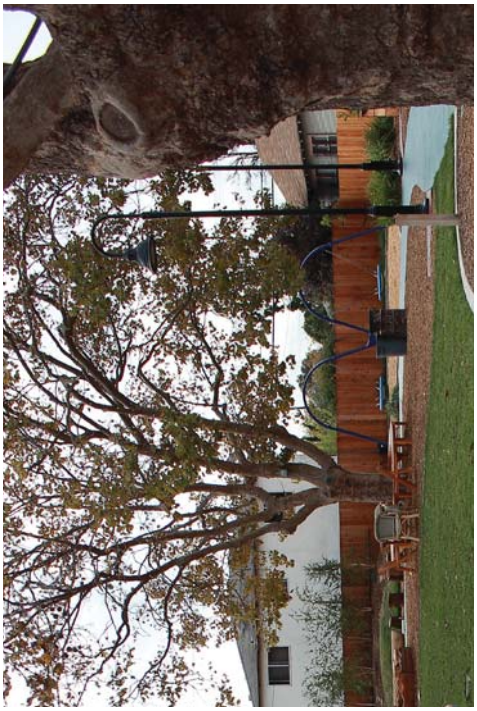
POGO PARK

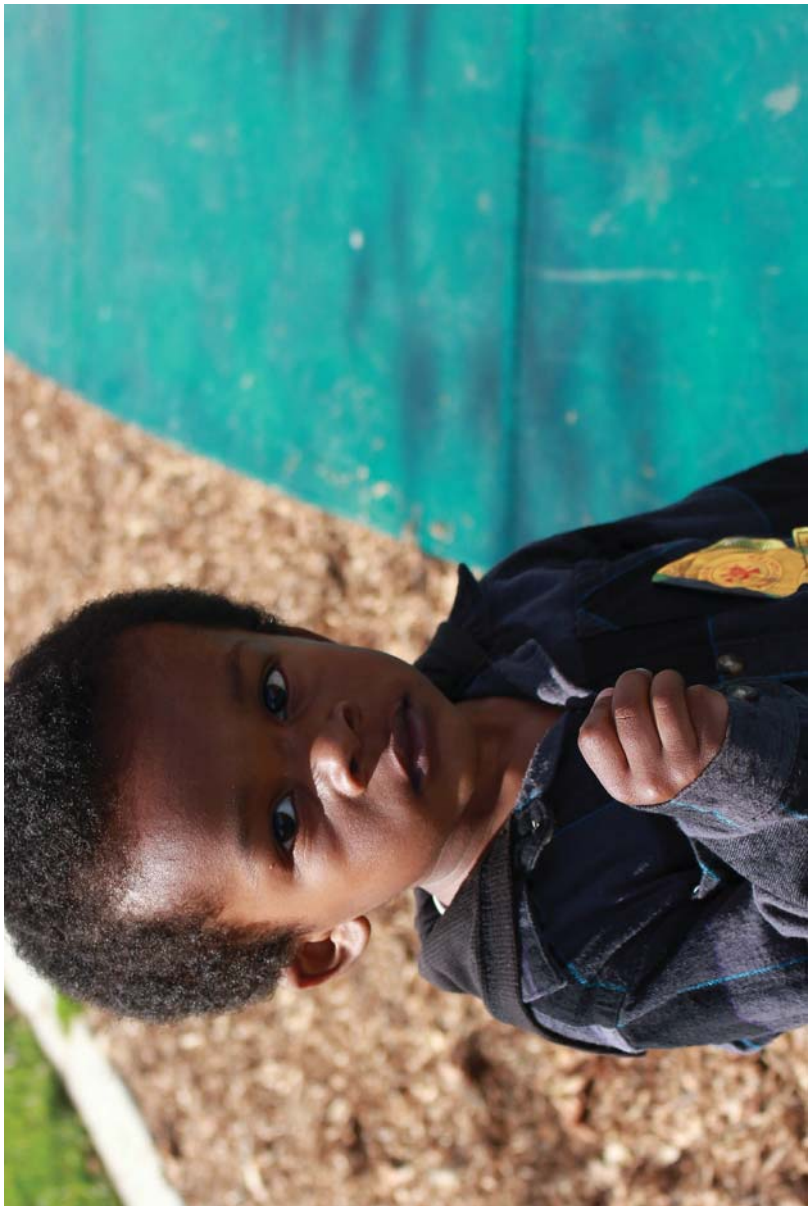
Local Government Commission

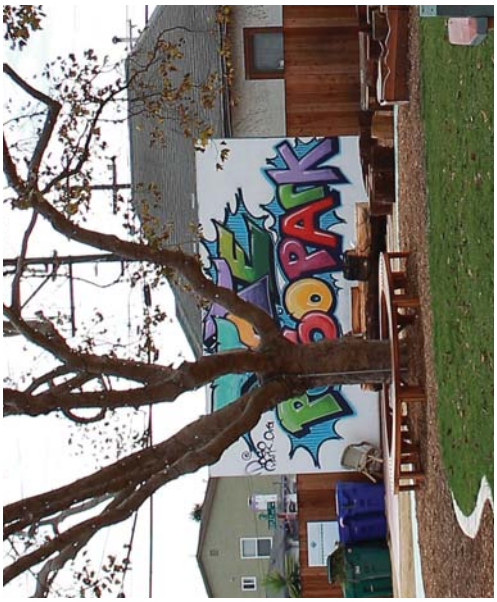
VALLIER DESIGN ASSOCIATES, INC.

February 2015

This project is funded in part by a grant from the Environmental Justice grant program of the California Department of Transportation







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9 Branches
10 Next Steps
A Appendix A: Elm to Peres Concept Plans and Cost Estimate

This project is funded in part by a grant from the Environmental Justice grant program of the California Department of Transportation

About the Yellow Brick Road Iron Triangle Walkable Neighborhood Plan

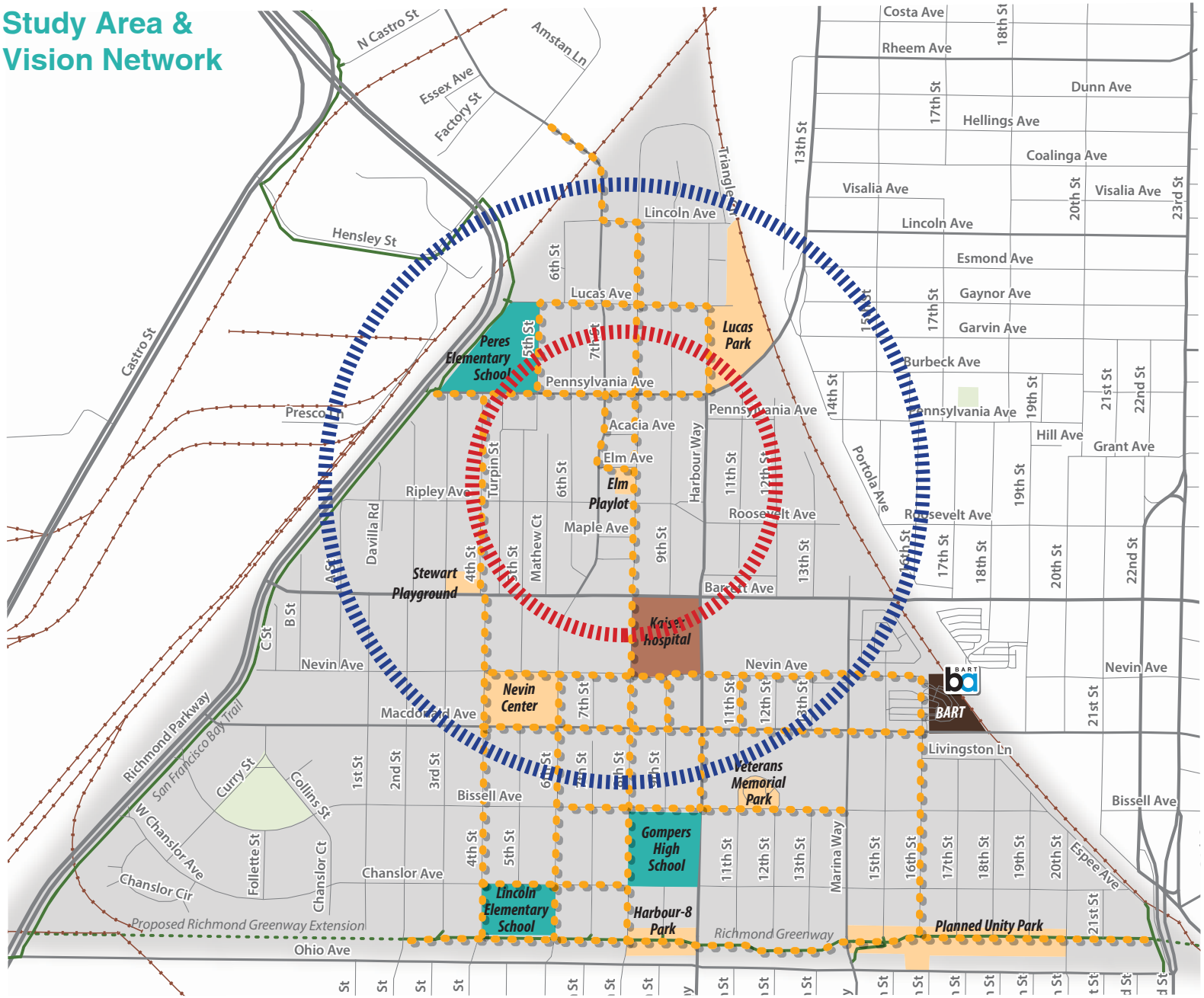
The Yellow Brick Road Walkable Neighborhoods Project addresses key community-identified barriers, issues, and opportunities in the community in order to design and implement complete streets improvements along roadways in the community-identified Yellow Brick Road (YBR) network. These complete streets improvements would be implemented in conjunction with rehabilitation of abandoned buildings and properties, code enforcement issues of aggressive dogs and fence lines, and personal security improvements to create safe, pleasant, artful, and walkable roadways in the Iron Triangle Neighborhood. The routes would connect the key assets in the neighborhood, including local elementary schools, parks, and transit.

The Yellow Brick Road concept was conceived by local youth living in the Iron Triangle neighborhood as a way to safely link key areas in the neighborhood through bright yellow brick patterns on the sidewalks and roadways, as described in the next chapter Envisioning the Yellow Brick Road. While the Yellow Brick Road idea originated in the Iron Triangle neighborhood, it is a model for neighborhood planning and creating safe routes to key destinations that can be replicated in neighborhoods throughout Richmond and the United States. As such, the Yellow Brick Road Walkable Neighborhood Plan is intended as a stand alone document and as an appendix to the Richmond Pedestrian Plan (2011). This Plan documents the first application of the Yellow Brick Road concept in Richmond.

Source: Pogo Park

This Walkable Neighborhood Plan is the outcome of an intensive community-driven process to improve the safety, security and desirability of walking for transportation and health in the Iron Triangle neighborhood. The City of Richmond, Local Government Commission and Pogo Park collaborated to prepare a Caltrans Environmental Justice Transportation Planning Grant proposal to fund the project. Caltrans awarded the grant to the City and its partners in 2012. The project partners selected Fehr and Peers, a firm with extensive multi-modal transportation planning, engineering and design expertise, to help inform the hands-on community-driven visioning process used to develop the plan, and to prepare the detailed design concepts presented in the pages that follow.

Yellow Brick Road Study Area & Vision Network



LEGEND

- Yellow Brick Road
- School
- Park
- Iron Triangle Study Area
- 5 Minute Walk Shed from Elm Playlot
- 10 Minute Walk Shed from Elm Playlot

Study Area

The study area of this Plan is generally defined as the Iron Traingle neighborhood of Richmond.

The neighborhood is bounded by the Richmond Greenway and Ohio Avenue to the south, the BART and Union Pacific Railroad tracks to the east, and Richmond Parkway to the west.

Overview

The Yellow Brick Road is envisioned as
a network of safe, green, and clean walking and biking routes
in Richmond, California's Iron Triangle neighborhood

This section explains the concept, place, partners, strategies, and lessons learned in envisioning and creating the Yellow Brick Road in the Iron Triangle Neighborhood.

1 THE CONCEPT: The Yellow Brick Road

In a 2008 summer youth program, a group of teen-agers from Richmond, California's Iron Triangle neighborhood were given the task of thinking of a project that would improve their neighborhood. They came up with a brilliantly simple idea: the Yellow Brick Road.

They envisioned Iron Triangle residents identifying key community assets (e.g., schools, parks, churches, community centers, transportation hubs, etc.). Then they would connect those assets via the Yellow Brick Road – a network of "safe, green, and clean" (their words) walking and biking paths designated by brightly colored yellow bricks, stenciled on sidewalks and roads.

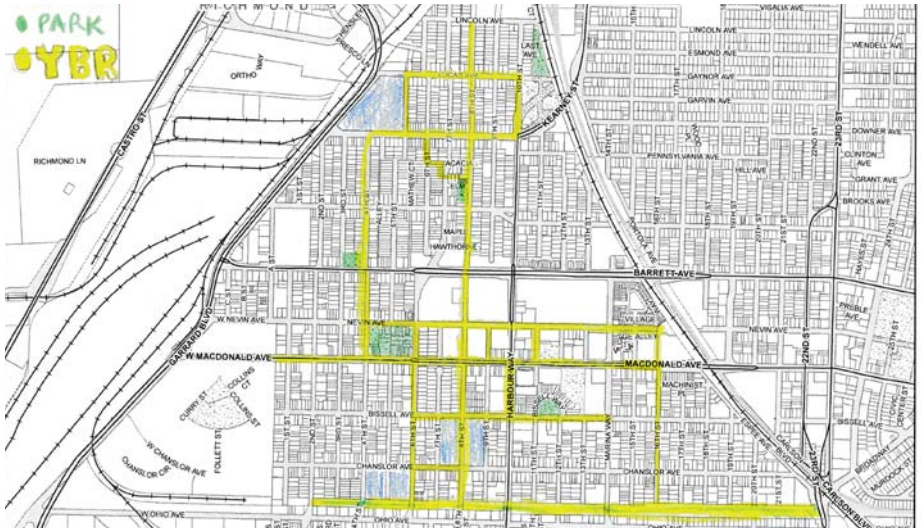
The City of Richmond and its partners, the Local Government Commission and Pogo Park, received an Environmental Justice Transportation Planning Grant for the Yellow Brick Road from the California Department of Transportation in 2012 to further develop this neighborhood vision into a plan. The project partners selected Fehr and Peers, a transportation planning and engineering firm and Dan Burden of Walkable and Livable Communities Institute, a non-profit that inspires, teaches, connects and supports communities in their efforts to improve health and well-being through better built environments, to help inform the intensive community-driven visioning process used to develop the plan and to prepare the detailed design concepts presented in the pages that follow.

2 THE PLACE: Richmond, California's Iron Triangle Neighborhood

The Iron Triangle is a historic neighborhood of roughly 15,000 people in the center of Richmond. Its one square mile was originally defined by three major railroad lines that formed a triangle around its border, hence its name. Today, its southern boundary is the Richmond Greenway, a multi-use path that was constructed in the former Atchison-Topeka and Santa Fe Railroad corridor.

The Neighborhood Has Good Bones: Historic and architecturally notable houses, a well-laid-out street grid with short, walkable blocks, and a major regional transit hub (Richmond is the only Bay Area city with a direct BART-to-Amtrak connection).

Demographics: According to the 2010 US Census, the Iron Triangle neighborhood was 60% Latino, 27% African-American, 5% Asian, 7% other. The Iron Triangle is a historic center for African Americans who came from the South to work in the Richmond shipyards and the recent population trend has been an increase in Latinos, including immigrants from Mexico and Central America.



Economics: Low-income and working poor; 50% of children live in poverty.

Environment: The Chevron Richmond Refinery, Port of Richmond, Richmond Parkway, railroad lines, and industrial uses contribute to poor air quality, few trees or natural areas.

Challenges: Unemployment, blight and decay, beleaguered and underfunded schools, little access to healthy foods, persistent health problems including asthma and obesity, high levels of violent crime, dangerous streets, and hopelessness.

3 THE PARTNERS: The Right Place, Right Time, Right People

CITY GOVERNMENT

The City of Richmond: This effort involved several City departments including the City Manager's Office, Planning and Building Services, Engineering Services, Public Works, Parks Division, Police Department, Code Enforcement, and the Fire Department, working together to implement the City's Pedestrian Plan and Bicycle Master Plans, adopted in 2011, and the City's "Health in All Policies" strategy to address health disparities and work towards health equity in Richmond (adopted by the Richmond City Council in 2014). (www.ci.richmond.ca.us/index.aspx?NID=2575)

NONPROFIT PARTNER

Pogo Park: A community-based nonprofit working to transform city parks and streets in Richmond's Iron Triangle neighborhood into safe and vibrant green spaces. Pogo Park organized and managed the unique resident-driven community engagement process described below. (www.pogopark.org)

PROFESSIONAL DESIGN TEAM

Local Government Commission: A nonprofit organization that assists local governments and community leaders in California and beyond with design tools and strategies and innovative public engagement initiatives to develop locally driven solutions. (www.lgc.org)

Fehr & Peers: Transportation engineers with extensive multi-modal transportation planning, engineering, and design expertise. Fehr & Peers helped to develop the community's vision for the Yellow Brick Road into detailed designs that are presented in this document. (www.fehrandpeers.com)

Dan Burden, Blue Zones: A nationally recognized educator and leader on pedestrian and bicycle path design and creating more livable, walkable, equitable communities. (www.bluezones.com/speaking/dan-burden-speaking-2/)

4 THE STRATEGY:
How We Empowered the Community

A

Community Outreach Team formed. Made up of 30 local residents, diverse in race, ethnicity, and gender, mirroring the demographics of the neighborhood, and including children, youth, adults, and seniors–people who know their neighborhood best.

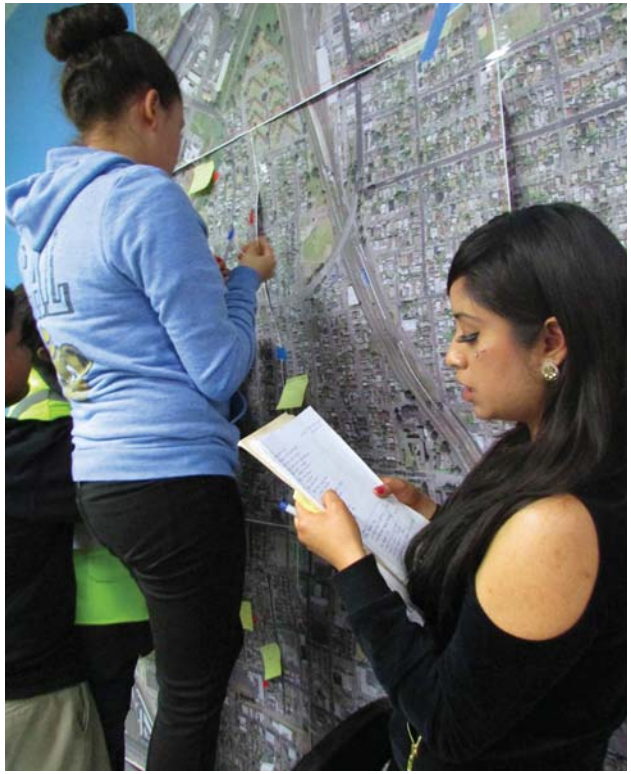
B

The Community Outreach Team maps the neighborhood. Walking every street in the Iron Triangle over 21 days, the team makes detailed notes on what they observe–both "positive" (a yard with flowers) and "negative" spaces (vacant houses, snarling guard dogs, speeding cars, menacing gang tags). They meticulously catalogue every physical barrier to mobility such as lack of crosswalks, wide streets, poor lighting, vacant houses, and men who sit in open-door garages, commenting and leering at women who pass by.

By beginning the planning process with local residents walking and documenting the streets with their own eyes, the typical sequence of city planning is turned around. Instead of outsiders (consultants) telling residents what they see is right and wrong with their neighborhood, the community becomes an active player in assessing their own neighborhood assets and constraints.

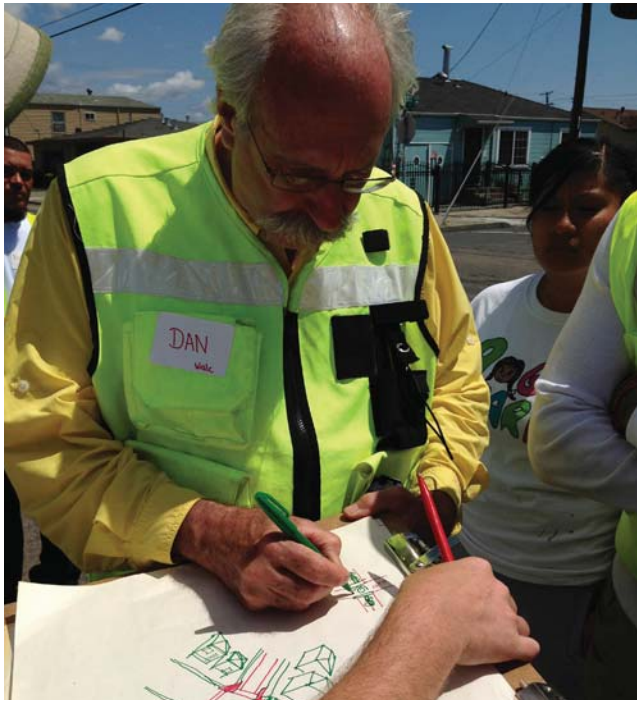
C

The Community Outreach Team reports its findings. Writing on a large wall map, the team pinpoints the Iron Triangle's positive and negative spaces. Local residents write their observations and ideas on post-it notes and stick them to the map in the appropriate spots. At this meeting, the group decides on the routes for the Yellow Brick Road.



The Professional Design Team and Community Outreach Team walk the proposed routes together. Stopping at each barrier, the two teams and city staff discuss possible solutions onsite. Dan Burden explains why stop signs fail, how bulb-outs and mini-circles make it physically impossible for cars to speed, and how islands in the middle of wide streets help people to cross them. When the Community Outreach Team presents him with a barrier, Burden describes possible solutions used in other cities around the world, sketching them on butcher paper or on the ground in chalk. Everyone can see and comment on the proposed changes.

The process works like magic. Residents quickly develop a shared language and understanding of how to solve the barriers to walking and biking in subsequent locations. The residents, city staff, and professional design team are in synch.

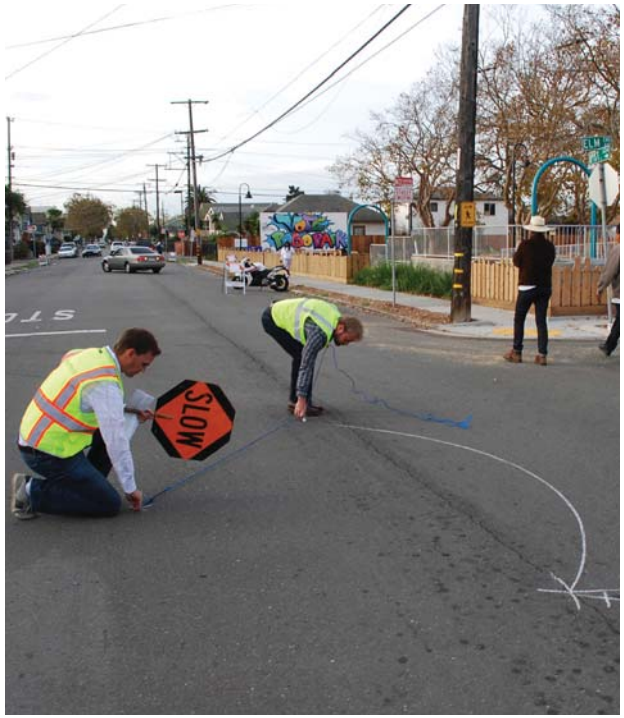


E

The Professional Design Team refines the plan. The Professional Design Team refines the plan. The Professional Design team, using the COT and community's ideas develops a working draft plan with detailed measurements and plans for street and sidewalk improvements.

F

The Professional Design Team and Community Outreach Team create a "Living Preview" of the Yellow Brick Road. As a way to communicate the proposed street improvements to the local community, the project partners create a three-dimensional full-scale model for a segment of the YBR. They use chopped wood pieces, potted plants, sawhorses, Astroturf, traffic cones, chalk, paint, scavenged road signs, two huge carved wooden totems to create mini-circles, straw waddles to create the illusions of wider sidewalks, narrower streets, crosswalks, and bike lanes.



The Living Preview of the Yellow Brick Road is publicized to the entire community. Notices go out

to neighborhood residents, city officials, police and fire departments, local schools, and the public bus system providers who has a stop in the Living Preview segment. Over two days, 354 people attend the event. Residents mingle with city officials, police officers, and professional transportation planners and engineers to examine and critique the design. A transit bus tests how the vehicle would maneuver around the new traffic circle.

The City sends a fire engine and fire truck to test the two traffic circle designs. But when it tries to get around the first mini-circle it gets stuck. Firemen and local residents work on a solution together, logs and potted plants are rearranged, and the fire truck tries again. Still no luck. It takes 13 tries to find exactly how the mini-circle must be built to allow passage by the fire truck.

The engineer from the Fire Department is jubilant. He explains that Richmond's fire trucks are several feet longer than standard models, causing headaches with road design changes. Professional designers always assume the standard length, he said. "No one ever asked us for our opinion before." Dan Burden says, "People in the world of livable streets will be talking about the Yellow Brick Road Living Preview in decades to come."

5 THE TAKE-AWAYS:
Lessons Learned

- We need to rethink our understanding of who is an expert. The premise of this project–recognizing that local residents are experts in their own environment–works.
- Empowering a core group of committed local residents–in this case, the young people who first envisioned the Yellow Brick Road–acknowledges this local expertise and builds a foundation of trust in the community.
- Organized and empowered community residents can work together with city staff, transportation planners and engineers, and other professionals to create a detailed conceptual design.
- If they are thus empowered, community residents are capable of learning the language of street design, building neighborhood capacity and skills.
- The Living Preview model is a powerful method to test ideas and engage community members in the transformation of their own streets.
- Design professionals should see their roles as partners who can guide and collaborate and not simply deliver solutions.
- The Yellow Brick Road concept is a dynamic model for neighborhood planning and creating safe routes to key destinations that can be replicated in other neighborhoods in Richmond and across the United States.

to the YELLOW BRICK ROAD
Living Preview
EL CAMINO DE LADRILLO AMARILLO
Reseña en Vivo
Sign In

ELM
7TH ST.

Iron Triangle Neighborhood

The Iron Triangle neighborhood is a one square mile region located in central Richmond, just east of the Richmond Parkway and north of Interstate 580. The neighborhood extends east-west from Richmond Parkway to the Burlington Northern Santa Fe (BNSF) rail line, and north-south from Lincoln Avenue to Ohio Avenue. It is primarily a residential neighborhood with several schools, parks and other important community destinations. Elm Playlot, Richmond Greenway, Peres Elementary School, and Lincoln Elementary School are four key hubs in the neighborhood in addition to BART, Nevin Community Center, and other destinations. The existing roadways in the Iron Triangle neighborhood vary from "slow streets" with one lane of traffic in each direction to major arterials that provide regional access to destinations in Richmond, local freeways and BART.

Key Destinations

There are several important destinations accessible by foot within the Iron Triangle, including schools, parks, the Kaiser Permanente Hospital and Medical Center, and the Richmond BART/Amtrak Station. However, Elm Playlot serves as the key focal point for the neighborhood. Distances between these destinations range between a quarter to a full mile, which are considered walkable distances. For example, Peres Elementary School is located 1/4 miles from the Elm Playlot. Similarly, Nevin Community Center and Lincoln Elementary School are 1/4 mile apart, approximately a five minute walk. The Richmond BART station is just under a half mile from the Kaiser Hospital, about an eight minute walk.

Pedestrian Environment

Although sidewalk coverage is fairly continuous in the area, the condition of pedestrian facilities and the surrounding environment make for a challenging walking experience within the Iron Triangle neighborhood. Sidewalks are broken or missing along some of the Yellow Brick Road routes and uncomfortable conditions exist, such as abandoned buildings, squatters, dogs and litter. Creating a more inviting pedestrian environment will have a meaningful effect on the safety, comfort and mobility of Iron Triangle residents and visitors. Many of the "slow streets" identified as preferred walking routes cross major roadways, such as

Barrett and Macdonald Avenues, where additional enhancements to pedestrian crossings may be required. Many of the roadways that connect through the neighborhood feel like "fast streets" and observed speeds are high on these corridors.

Bicycle Facilities

The Iron Triangle's flat, interconnected and low traffic streets provide a great environment for bicycling. The Richmond Greenway is an important asset for regional connectivity. The Greenway runs through the Iron Triangle just north of Ohio Avenue. Class II bicycle lanes are provided on western portions of Pennsylvania Avenue and Ohio Avenue. Class III sharrows are marked on the portion of Barrett Avenue west of the Kaiser Hospital and Medical Center. Providing comfortable, continuous facilities may encourage more people to bike in the neighborhood.

Transit Facilities

Macdonald Avenue and Harbour Way act as the main transit corridors through the study area, with bus routes also available on 7th Street and Barrett Avenue. AC Transit bus lines that run along the Yellow Brick Road include 71, 72M, 76, and 376. Bus stops along these routes offer very few stop amenities beyond benches at some of the locations. Additional lighting, seating, and overhead coverage will greatly improve the transit environment. The Richmond BART station is located at the northeast edge of the Iron Triangle, and is accessible via Macdonald Avenue, 16th Street, and Nevin Plaza with connections to multiple AC Transit bus lines and Amtrak.

Bicycle & Pedestrian Collisions

Pedestrian and bicycle related collisions in the Iron Triangle neighborhood for the six year period from 2007 through 2012 was obtained through the Statewide Integrated Traffic Records System (SWITRS). A total of 68 bicycle and pedestrian-related collisions were reported at intersections and mid-block locations in the study area, with an equal amount involving bicycles (34) and pedestrians (34), as shown in Figure 2. A pedestrian death occurred in 2008 at the Carlson Boulevard and Ohio Avenue intersection.

The highest number of pedestrian collisions was reported along Macdonald Avenue (14) and Harbour Way (9), which accounted for two-thirds of all pedestrian collisions in the study area. The Marina Way and Macdonald Avenue intersection had the greatest number of collisions (4). Bicycle collisions were greatest along Macdonald Avenue (5), Bissell Avenue (4), and Barrett Avenue (4).

As compared to other areas in central Richmond, bicycle collisions are higher within the Iron Triangle neighborhood. The rise in collisions may partially be due to the higher volume of bicyclists that ride in the area; both the Richmond BART station and segments of the Richmond Greenway are within the study area. The number of pedestrian collisions within the triangle is similar to the other nearby neighborhoods in central Richmond.

TABLE 1
Intersections with Two or More Pedestrian or Bicycle Collisions - 2007 to 2012

Intersection	Collisions Reported
Pedestrian Collisions	
Macdonald Avenue & Marina Way	3
Macdonald Avenue & 16th Street	3
Macdonald Avenue & 4th Street	3
Macdonald Avenue & Harbour Way	2
Harbour Way & Bissell Avenue	2
Harbour Way & Nevin Avenue	2
Harbour Way & Roosevelt Avenue	2
Pennsylvania Avenue & 7th Street	2
Bicycle Collisions	
7th Street & Lucas Avenue	2
Chanslor Avenue & Marina Way	2

Source: SWITRS 2007-2012

Overview

This section presents the design vision for the Yellow Brick Road network. The Yellow Brick Road is envisioned to be an interconnected network of safe and secure roadways where children, parents, and all members of the community can travel safely. The Yellow Brick Road streets are intended as important walking routes through the community and, in many cases, this coincides with important bicycle connections. The Yellow Brick Road routes are intended to create "slow streets" that are community focused and include the following key elements:

- **Pedestrian and bicycle improvements, including considerations of safety, comfort, wayfinding, and crosswalk enhancements**
- **Traffic calming improvements, such as traffic circles, raised crosswalks, and speed tables**
- **Public art, including sculpture, murals, and painted intersections/streets**
- **Streetscape amenities and secure places, including street trees, bioswales and landscape plantings, benches, and garbage cans as well as pedestrian-scale street lighting and law enforcement**

The following pages highlight the key distinctive features of the Yellow Brick Road routes.

Design Vision for Yellow Brick Road

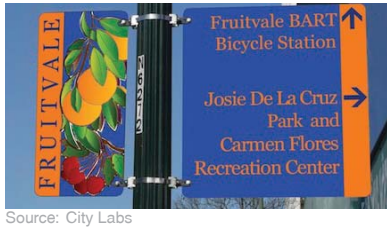
Before: 7th Street Today

After: Peres to Elm Yellow Brick Road Route (7th Street)

Design Inspirations and Potential Treatments

Source: www.hubss.com

Source: City Labs



Source: City Labs

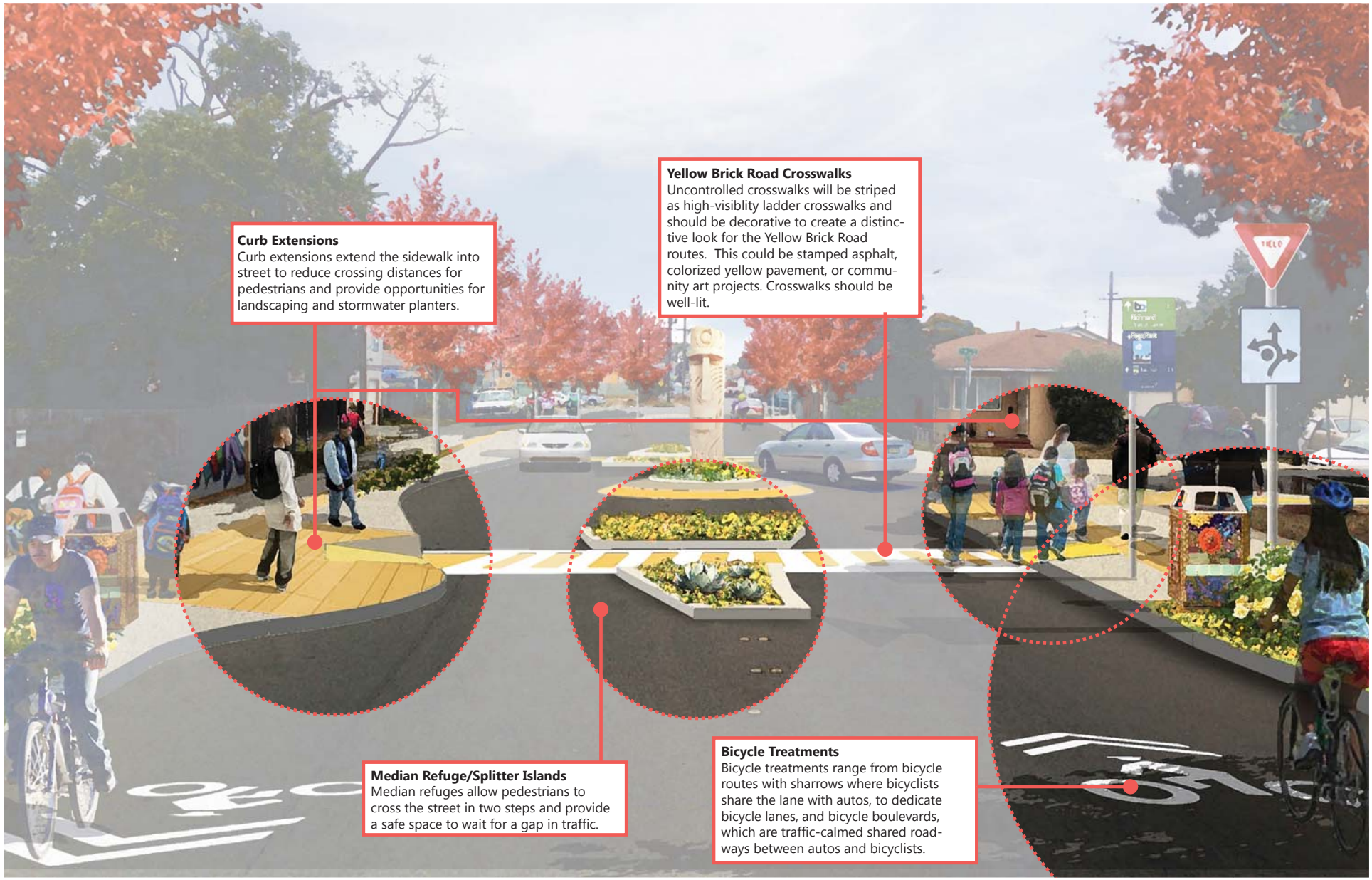
Source: flickr/Lara Justine

Source: flickr/Thanh Ha Dang

Source: flickr/Dylan Passmore

Source: flickr/Josh S Jackson

Pedestrian & Bicycle Improvements

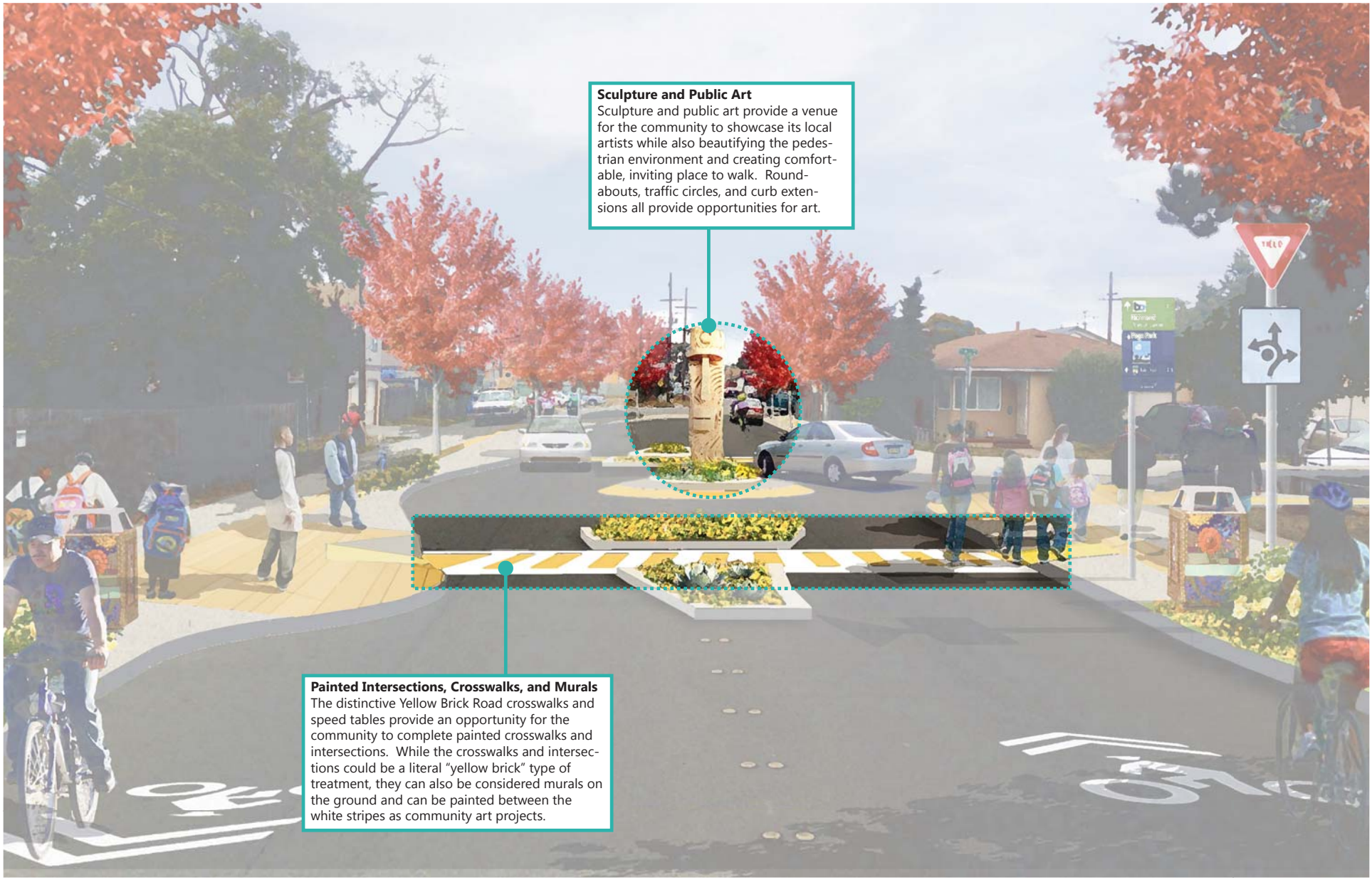


Traffic Calming Improvements

Amenities

Bicycle & Pedestrian Wayfinding
Wayfinding signs provide directions and information on the amount of time needed to travel between key destinations.
Trash Cans, Benches, Bus Shelters
Streetscape amenities such as trash cans, benches, and bus shelters can help provide clean environments that provide comfortable places for people to pause and rest.

Public Art


Sculpture and Public Art
Sculpture and public art provide a venue for the community to showcase its local artists while also beautifying the pedestrian environment and creating comfortable, inviting place to walk. Roundabouts, traffic circles, and curb extensions all provide opportunities for art.
Painted Intersections, Crosswalks, and Murals
The distinctive Yellow Brick Road crosswalks and speed tables provide an opportunity for the community to complete painted crosswalks and intersections. While the crosswalks and intersections could be a literal "yellow brick" type of treatment, they can also be considered murals on the ground and can be painted between the white stripes as community art projects.

Overview

The Pogo Park Team and Community Outreach Team (COT) have been engaged in the Iron Triangle neighborhood long before this Plan, walking every street in the neighborhood, discussing key issues with local residents and business owners, and identifying issues and opportunities for improvements. Through the Yellow Brick Road/Iron Triangle Neighborhood Plan, their work has continued and has been supplemented with larger public outreach events including walking audits, temporary installation, and meetings with representatives from various City of Richmond departments and Contra Costa Health Services.

Outreach Events

March 2014 Community Walk Audit & Nighttime Walk

On March 6, 2014 Pogo Park and COT led a walking audit with City staff, the consultant team, and residents through the Iron Triangle neighborhood. Through this effort, key barriers, issues, and opportunities in the neighborhood were identified and mapped.

The following key themes were identified:

- **Code enforcement, security, and lighting issues:** Residents identified many locations with abandoned houses and empty lots, unsafe dumping along the streets, and reckless driving near schools. They also identified discomfort caused by aggressive dogs and crime hotspots. Improving police presence and enforcement, installing pedestrian-scale lighting, providing emergency phones, moving dogs to the backyard, and repurposing abandoned lots can help to improve the safety along the Yellow Brick Road routes.
- **Need for neighborhood greening:** The community expressed a need for improved greenery to provide shade, comfortable places to sit, and create a more comfortable and pleasant pedestrian experience. Opportunities for improvement include planting more trees, better tree maintenance, providing public seating areas, and creating incentives for residents to maintain their yards and sidewalk areas.
- **Improved sidewalks and enhanced crosswalks:** Broken sidewalks and missing crosswalks, particularly near schools and parks, were of major concern to the community. Repairing and maintaining the pedestrian network along the YBR is a key opportunity to improve circulation. Enhancing uncontrolled crosswalks at major intersections was another key issues.
- **Wayfinding to key destinations and highlighted YBR route:** Providing signage that guides pedestrians, bicyclists and drivers to key destinations within the Iron Triangle will help connect the community and improve the mobility for residents of all ages along the YBR. Another key feature could be flags, banners, art, signs, and other distinct elements that define the YBR routes, which could have a yellow brick motif.

May 2014 Walk Audit and Charrette

In May 2014, Pogo Park and the COT team hosted a two-day walking audit and charrette event with Dan Burden, who is a nationally-recognized leader in walkability and neighborhood transformation, and the consultant team. Dan worked with Pogo Park and COT to identify site-specific issues and opportunities and developed a series of preliminary improvement ideas for corridors around the neighborhood.

The following corridors were studied in depth:

- 8th Street/Elm Avenue
- 16th Street connecting the Greenway to BART
- Lucas Avenue
- Pennsylvania Avenue
- Ripley Avenue and Harbour Way

These concepts were used to inform the recommendations presented in this Plan.

October 2014 Living Preview Temporary Installation

In October 2014, the proposal for 7th Street and Elm Avenue were treated as a 48-hour temporary installation. 7th Street between Pennsylvania and Ripley Avenues and Elm Avenue between 7th and 8th Streets were treated with temporary striping, potted plants, totem pole art installations, and spray chalk to show the community the improvements proposed for the Elm to Peres Root Route. Many residents turned out for the event and showed broad support for the improvements. Many key Richmond stakeholders including Mayor Gayle McLaughlin and US Congressman George Miller also supported the event. The Richmond Fire Department also showed support for the project and worked closely with Pogo Park and the consultant team to field-test turning radii of their various fire trucks on the roundabout and traffic circle temporary installations. AC Transit buses were also field tested through the roundabout on 7th Street. These dimensions and measurements are reflected in the concept plans for the Elm Play Lot to Peres Elementary School Roots Route.

The following improvements were installed for the two-day installation:

- **Roundabout at 7th Street/Elm Avenue** — included potted plants and a totem pole art installation in the circle, splitter islands with high-visibility crosswalks, and curb extensions to reduce vehicle speeds through the intersection
- **Protected Walkway on 7th Street** — to close the existing sidewalk gap on the west side of the roadway a protected "curb" (landscape waddle) was installed
- **Bicycle Lanes on 7th Street** — parking was prohibited on the east side of the street and bicycle lanes were striped in both directions. Sharrows were striped through the roundabout.
- **Traffic Circle at 8th Street/Elm Avenue** — included a totem pole art installation in the circle and curb extensions to reduce auto speeds. Stop signs were covered to show how Yield control would work on all approaches.
- **"Play Street" on Elm Avenue** — Elm Avenue was blocked to vehicle traffic to allow for kids to play in the street and for the community event to take place. Pogo Park painted the streets to create artful images in the roadway.

January 2015 Community Workshop

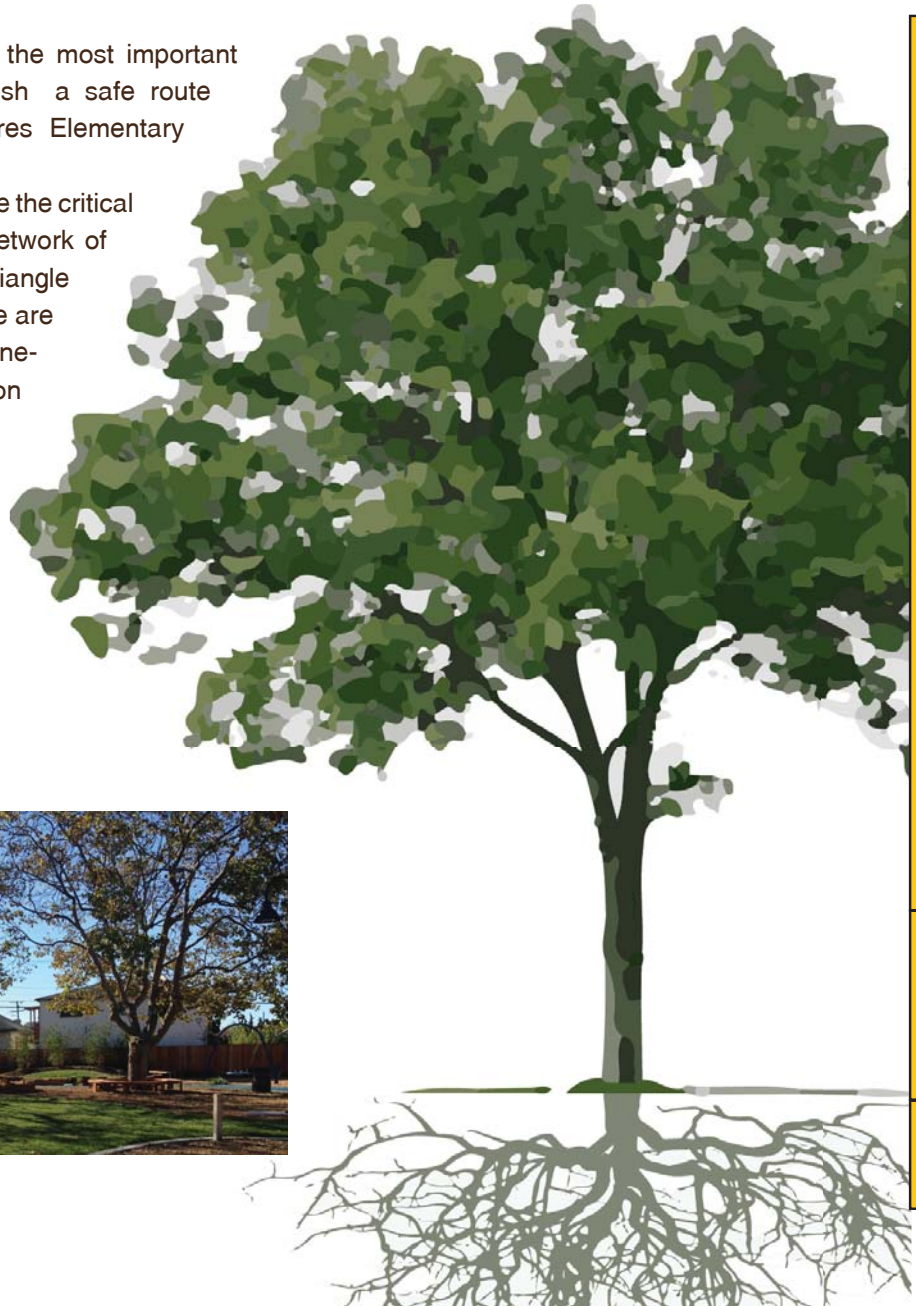
On January 26, 2015, Pogo Park and the consultant team hosted an evening public workshop and dinner at the Elm Playlot. Participants included neighborhood residents, Pogo Park staff, City of Richmond staff, and other community members. The workshop consisted of a presentation focused on the "design toolkit" used to create the Yellow Brick Road vision. Participants had the opportunity to review concepts for the Elm to Peres, 8th Street, 16th Street, and Richmond Greenway routes. They also had the opportunity to review the full Yellow Brick Road network and the types of treatments proposed for the routes. Feedback was incorporated into the recommendations presented in this Plan.

Overview

The Yellow Brick Road (YBR) vision network was established by the residents of the Iron Triangle neighborhood. The map at right shows the long term vision of the YBR network, with all routes implemented. As the network covers an extensive area, phasing for the project is necessary. The YBR vision network can be divided into three phases of the project, which can be likened to the parts of a tree:

1. **The Roots: Phase 1** — This is the most important Yellow Brick Routes that establish a safe route between Elm Play Lot and Peres Elementary School
2. **The Trunks: Phase 2** — These are the critical Phase 2 projects that create a network of YBR routes throughout the Iron Triangle
3. **The Branches: Phase 3** — These are the Phase 3 routes that create a fine-grain network throughout the Iron Triangle

The beautiful large Elm trees at the Elm Play Lot provide the naming inspiration for the phasing strategy. The following chapters define the Root, Trunk, and Branch YBR routes in detail.

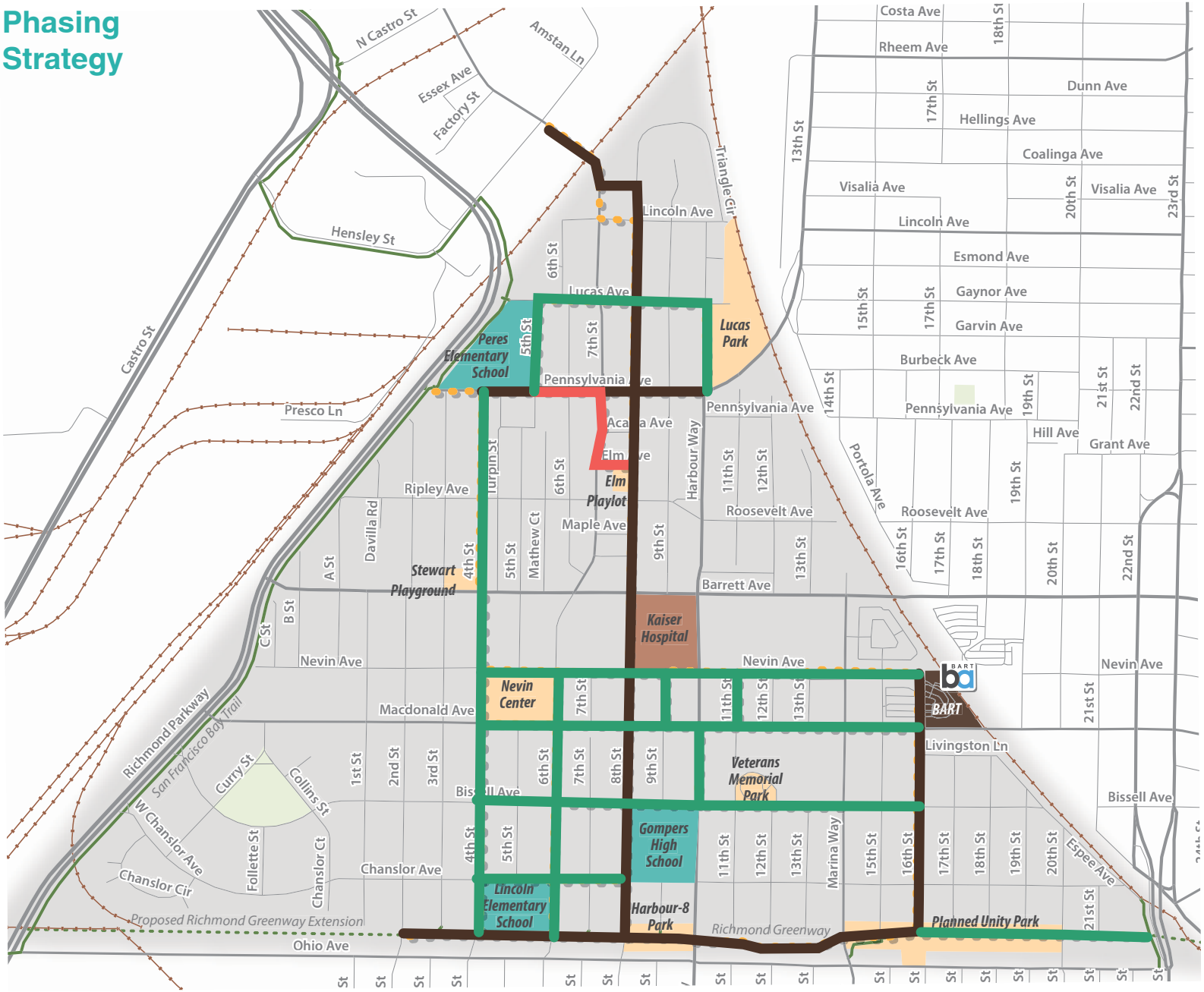


Branches
-Bissell Avenue
-Lincoln Elementary School (4th Street, 6th Street, Chanslor Avenue)
-4th Street
-Macdonald Avenue
-Nevin Avenue
-6th, 9th, and 11th Streets
-Harbour Way

Trunks
-Pennsylvania Avenue
-8th Street
-16th Street
-Richmond Greenway

Roots
Elm Play Lot to Peres Elementary School: Pennsylvania Avenue, 7th Street, and Elm Avenue

Yellow Brick Road Phasing Strategy

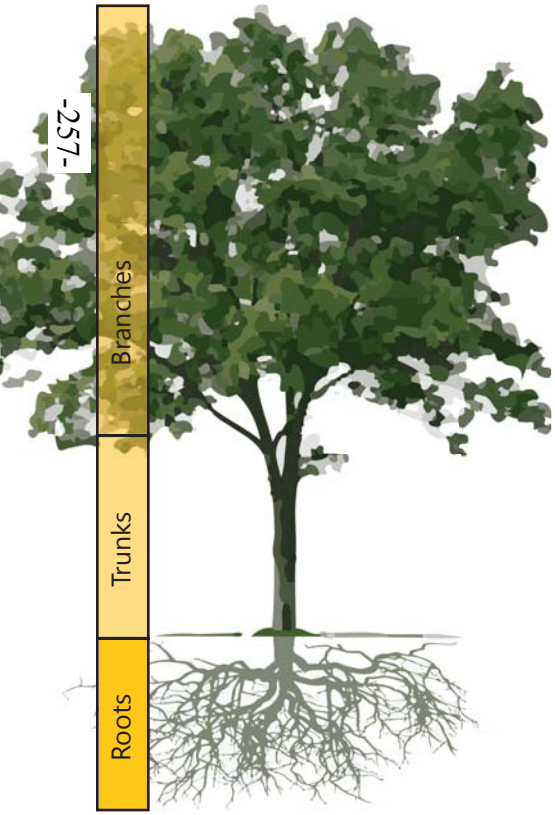


Overview

The "Root Route" is envisioned to create the first phase of the Yellow Brick Road. The Root Route will provide a critical north-south route between Elm Playlot, located at the intersection of 8th Street and Elm Avenue, to Peres Elementary School, located near the intersection of Pennsylvania Avenue and 4th Street. This first Yellow Brick Route will build on recent community and City investments at the Elm Play Lot and on Pennsylvania Avenue. The Root Route consists of the following segments:

1. **Pennsylvania Avenue** — between 4th and 7th Streets
2. **7th Street** — between Pennsylvania and Elm Avenues
3. **Elm Avenue** — between 7th and 8th Streets

Design plans and a fact sheet are presented on the following pages.



Legend

- Yellow Brick Road Routes
- School
- Park
- Iron Triangle Study Area
- Root Route
- Existing Trail/Path
- Proposed Trail/Path

-257-

#G-4.

Elm Play Lot to Peres Elementary School

Description

Through pedestrian, bicycle, and traffic calming improvements, this route would build on the revitalization of Elm Playlot and create a strong walking connections between Peres Elementary School and the Elm Playlot. As such, it is identified as the highest priority for the neighborhood and should be considered as a "demonstration project" for the Yellow Brick Road. The drawings shown for this project represent a "long-term" or "grant-funded" solution with permanent materials, such as concrete sidewalk and curb and gutter. However, there may be an opportunity to use interim design materials to more quickly and cost-effectively get safety improvements onto the ground using high-quality but low-cost materials, such as striping and landscape planters. A short-term solution should be considered as the design is detailed. The concept drawings have been reviewed in the field with the Richmond Fire Department during the Living Preview event. These drawings reflect the measurements and design elements (e.g. rolled curb or mountable curb) needed for various sized Richmond fire trucks to operate through the area. **Detailed concept plans for the Elm to Peres route are presented in Appendix A.**

Cost

The project is expected to cost approximately, $722,800, including soft costs and contingencies. **The detailed breakdown of unit costs, quanitities, and soft costs is presented in Appendix A**. An interim design using temporary but attractive materials could cost significantly less than this and provide substantial safety and comfort benefits for pedestrians and bicyclists in the near-term before grant-funding for the permanent improvements can be secured.

Issues & Opportunities

- 7th Street has a wide cross-section which encourages high-speeds on this important pedestrian route
- Sidewalks are narrow (4' or less) on the west side of 7th Street
- 7th Street and Elm Avenue provide important connections between Peres Elementary School and Elm Playlot
- Elm Avenue is a one-block long roadway that could be converted to a "slow street" or "play street" in front of Elm Playlot
- STOP-sign compliance is low at the 8th Street/ Elm Avenue intersections
- Improvements to this corridor can build off of the recent investments in Elm Playlot and serve as a catalyst for pedestrian improvements projects in the Iron Triangle neighborhood

Key Proposals

7th Street between Pennsylvania and Ripley Avenues

- Stripe Class II bicycle lanes in both directions
- Consider parking prohibition on east side of 7th Street to accommodate bicycle lanes or consider time of day bicycle lanes
- Maintain parking on west side of the roadway wherever possible
- Extend sidewalk on west side to provide

Elm Play Lot to Peres Elementary School

comfortable walking area
- Maintain driveway access on west side of street with sidewalk extension and consolidate driveways if possible
- Yellow Brick Road Crosswalks: Colorized, stamped asphalt pattern of yellow bricks within all parallel crosswalks (raised and at-grade) on the route
- Pedestrian and Bicycle Wayfinding Signs: Use WCCTAC design guidelines and sign types to indicate distance to activity centers along the route like schools, parks, and BART
- Pedestrian-scale lighting
- Landscaping, stormwater planters, and trees whereever feasible, including roundabouts and traffic circles

Elm Avenue between 7th and 8th Streets
- Parking prohibition on south side of Elm Avenue between 7th Street and 20' east of 7th Street
- Convert parallel parking in front of Elm Playlot to back-in angled parking
- Parking prohibition on north side of the street
- Elm Avenue should feel like a "slow street" or "play street" adjacent to the park
- Street painting and art could be considered
- Yellow Brick Road Crosswalks: Colorized, stamped asphalt pattern of yellow bricks within all parallel crosswalks (raised and at-grade) on the route
- Pedestrian and Bicycle Wayfinding Signs: Use WCCTAC design guidelines and sign types to indicate distance to activity centers along the route like schools, parks, and BART
- Pedestrian-scale lighting
- Landscaping, stormwater planters, and trees whereever feasible, including roundabouts and traffic circles

7th Street/Ripley Avenue Intersection
- Curb extensions onto Ripley Avenue
- Stripe crosswalk on north side of 7th Street

7th Street/Elm Avenue Intersection
- Roundabout to replace side-street STOP control intersection
- Ladder crosswalks across 7th Street on north and south side of roadway with splitter islands
- Splitter islands should be mountable, as shown on the concept plans, to accommodate Richmond Fire Department fire trucks and emergency vehicles
- Splitter islands should be a minimum of 6' feet in width at the pedestrian refuge to allow bicyclists and pedestrians with strollers to safely wait clear of the travel lane
- Curb on west side of the roundabout should be rolled to accommodate Richmond Fire Department fire trucks and other emergency vehicles
- Roundabout should include landscaping and art
- Sharrows through intersection and intersection approach to guide bicyclists
- Directional curb ramps wherever feasible

7th Street/Acacia Avenue Intersection
- Curb extensions onto Acacia Avenue on southeast and southwest corner
- Stripe high-visibility ladder crosswalk on south side of 7th Street
- Continue Class II bicycle lanes through intersection
- Directional curb ramps where feasible

8th Street/Elm Avenue Intersection
- Large curb extension on southwest side of intersection to shadow back-in angled parking
- Traffic circle with Yield-control at 8th Street/Elm Avenue to replace existing all-way Stop-control
- Curb extensions on all corners of intersections to create deflection through the intersection
- Landscaping and art in traffic circle and curb extensions, wherever possible

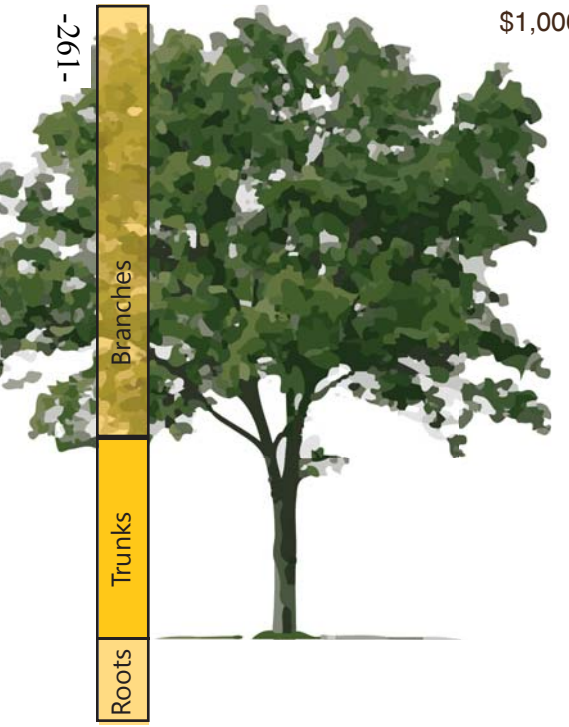
RICHMOND FIRE

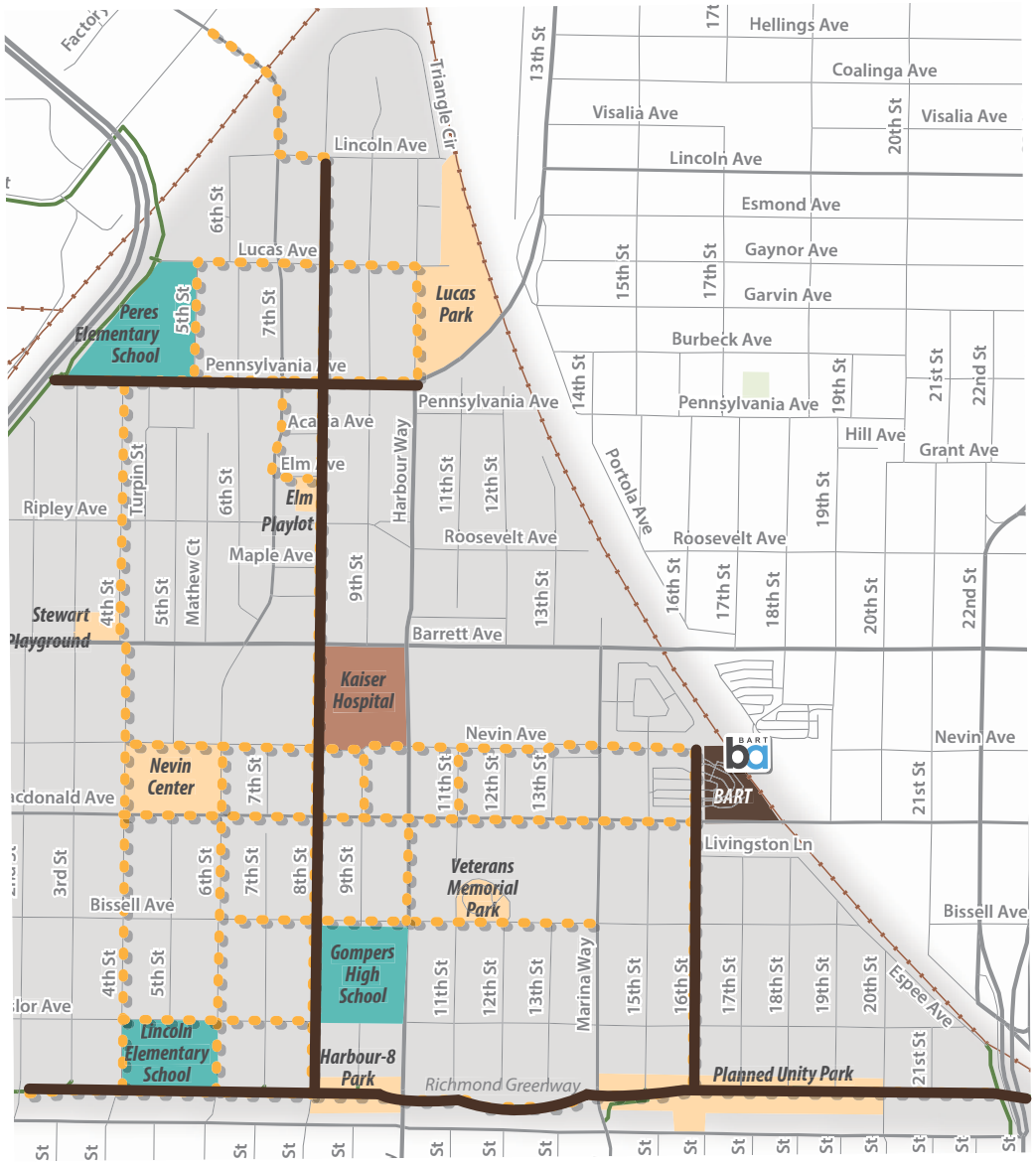
Overview

The "Trunk Routes" are envisioned to create a core network for the Yellow Brick Road. These are the second phase of the Yellow Brick Road. With the Elm Play Lot to Peres Elementary School route completed, the following four routes are anticipated to provide primary north-south and east-west connectivity throughout the Iron Triangle neighborhood:

1. **8th Street** — between Lincoln and Ohio Avenues
2. **16th Street** — between Macdonald Avenue and Richmond Greenway
3. **Pennsylvania Avenue** — between 4th Street and Harbour Way/13th Street
4. **Richmond Greenway** — Trail Crossings between 2nd Street and 23rd Street

Concept diagrams and fact sheets are presented for each Trunk Route project on the following pages. Project costs are relative planning level costs, where: $ = less than $500,000; $$ = $500,001 to $1,000,000, and $$$ = greater than $1,000,000.





Legend

- Yellow Brick Road Routes
- School
- Park
- Iron Triangle Study Area
- Trunk Routes
- Existing Trail/Path
- Proposed Trail/Path

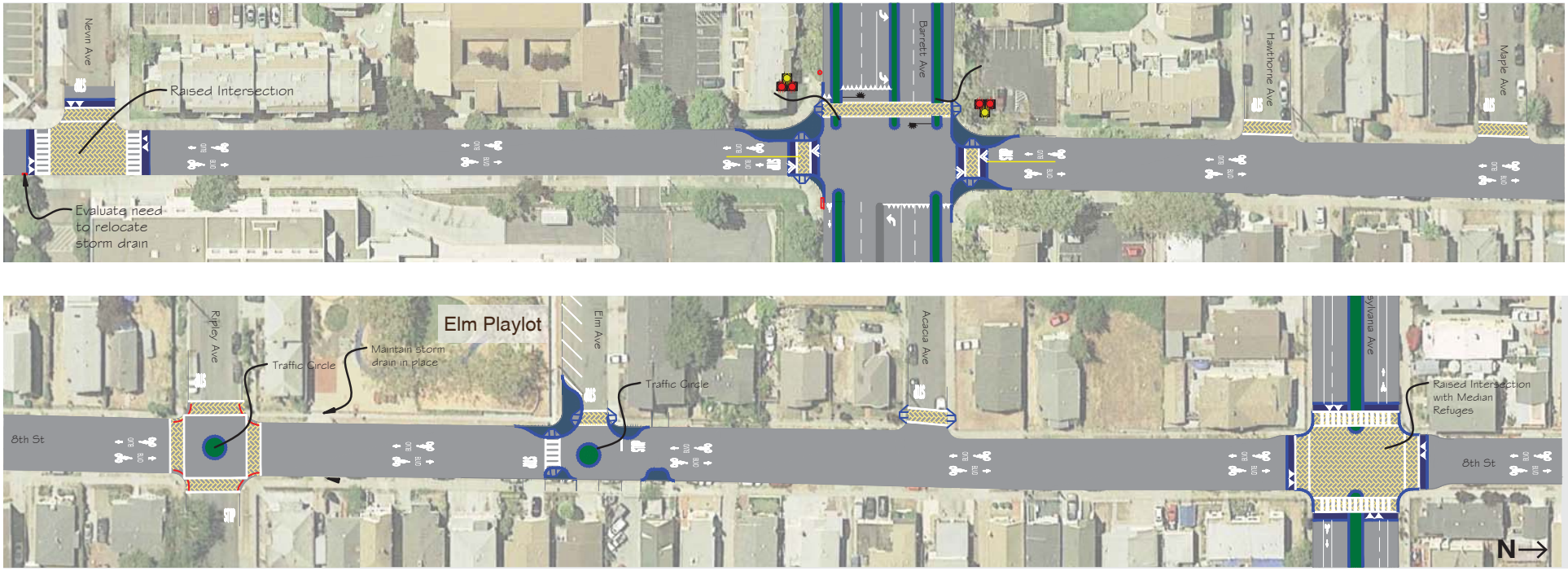
8th Street

Description

8th Street is a low volume roadway that runs north-south through the Iron Triangle neighborhood, connecting residents to the Richmond Greenway, Gompers High School, and the Elm Playlot. Additionally, several other key destinations are located one to two blocks east or west of 8th Street, including Lincoln and Peres Elementary Schools, Richmond BART Station, Nevin Community Center, and Kaiser Hospital and Medical Center. 8th Street is a community-identified "walking route" or "slow street" through the Iron Triangle neighborhood. As such, improvements are focused on traffic calming and bicycle boulevard type treatments to enhance unsignalized crossings for bicyclists and pedestrians, reduce auto speeds, and improve the streetscape.

Cost

$$$ - This is one of the highest cost projects in the network, as it includes significant traffic calming features to create slow walking street and bicycle boulevard. Key design features include raised intersections and crosswalks, which affect roadway drainage.



Issues & Opportunities

- Gompers High School: The newly reconstructed High School is located on both sides of 8th Street, which presents an opportunity to consider a special pedestrian zone on 8th along the school frontage as well as the gateways to the school at the intersections with Bissell Avenue and Chanslor Avenue
- Ohio Avenue: Existing intersection is skewed, which creates long crossing distances and unpredictable auto movements
- 7th Street is designated as a bicycle boulevard in the Richmond Bicycle Master Plan; however, with lower volume and speeds on 8th Street, 8th Street is considered as a preferred bicycle boulevard route.
- High turning movement speeds at some intersections, including Elm Avenue/8th Street
- Poor traffic control compliance at some all-way STOP intersections
- Difficult, long pedestrian crossings across multiple lanes of traffic at Barrett Avenue and Pennsylvania Avenue

Key Proposals

8th Street between Lincoln and Ohio Avenues

- Bicycle Boulevard signs and striping including oversized bicycle boulevard stencils
- Consider speed humps along corridor
- Yellow Brick Road Crosswalks: Colorized, stamped asphalt pattern of yellow bricks within all parallel crosswalks (raised and at-grade) on the route
- Yellow Brick Road Raised Intersections: Stamped asphalt with community-designed painted intersections
- Pedestrian and Bicycle Wayfinding Signs: Use WCCTAC design guidelines and sign types to indicate distance to activity centers along the route like schools, parks, and BART
- Pedestrian-scale lighting
- Landscaping and stormwater planters

8th Street between Lincoln Avenue and Triangle Court

- Work with property owners between 7th and 8th Streets to provide a mid-block connection between 7th Street/elevated rail tracks and Triangle Court
- Consider mid-block crosswalk and bicycle boulevard improvements on 8th Street through Triangle Court if mid-block improvements can be made

Ohio Avenue/8th Street Intersection

- Realignment of Ohio Avenue intersection to improve alignment with curb extensions

Richmond Greenway/8th Street Intersection

- Raised crosswalk with rectangular rapid flashing beacons (RRFBs)

Chanslor, Bissell, Nevin, and Lincoln Avenues Intersections with 8th Street

- Raised intersection with decorative paving
- Ladder crosswalks on 8th Street, and mark standard crosswalk across side-street

Macdonald Avenue/8th Street Intersection

- Install median noses at existing refuges

Barrett Avenue/8th Street Intersection

- Pedestrian Hybrid Beacon and decoative paving crosswalk on west side of Barrett Avenue, including curb extensions and a median refuge
- Speed tables/raised crosswalks with curb extensions on crosswalks across 8th Street

Ripley Avenue/8th Street Intersection

- Traffic circle with yield-control
- Ladder crosswalks with decorative paving

Elm Avenue/8th Street Intersection

- Traffic circle with yield-control
- Ladder crosswalks with decorative paving
- Large curb extension shadowing back-in angled parking on the southwest corner

Pennsylvania Avenue/8th Street Intersection

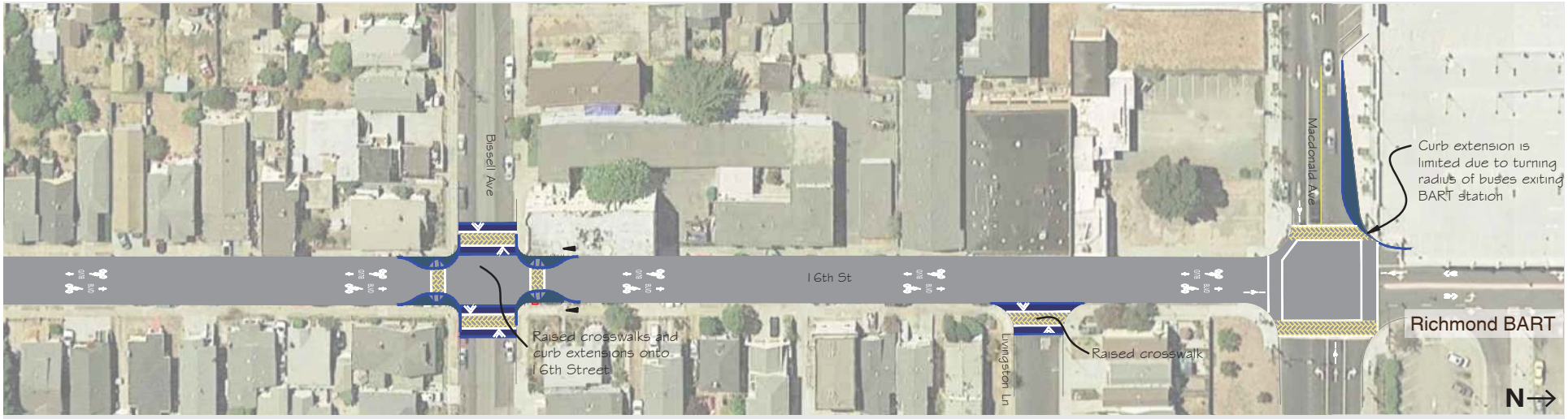
- Raised intersection with decorative paving
- Landscaped medians with refuges on east and west crosswalks across Pennsylvania

Lucas Avenue/8th Street Intersection

- Traffic circle with yield control

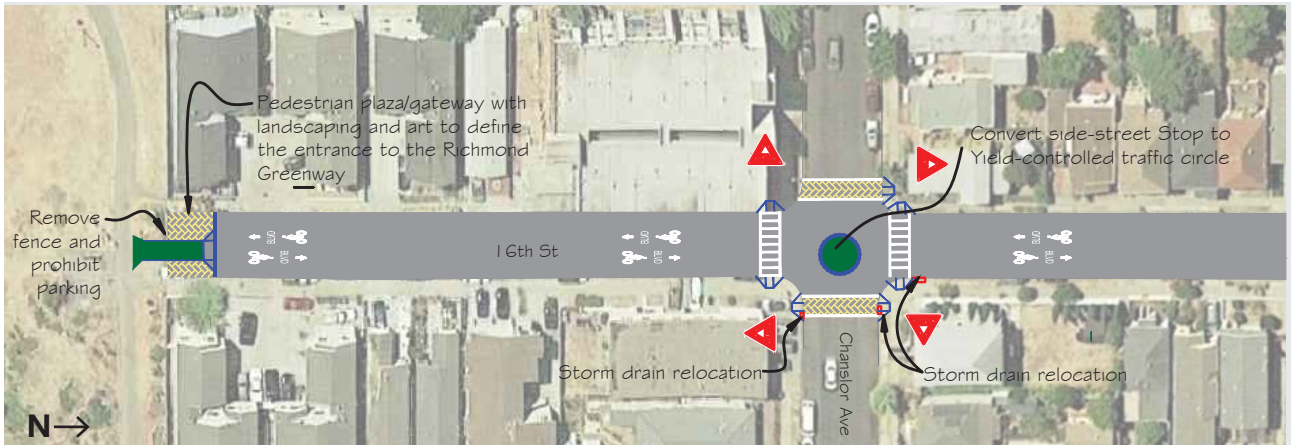
- Ladder crosswalks with decorative paving
- Curb extensions on northwest and southeast corners to correct intersection offset

16th Street



Description

16th Street is a key connection between the Richmond BART station and the Richmond Greenway and serves as a key walking route to access both destinations from adjacent neighborhoods. Improvements on this corridor would improve the aesthetics of the pedestrian facilities by adding Yellow Brick Road crosswalks, enhancing the sidewalk landscaping, and installing a pocket park at the entrance to the Richmond Greenway.



Cost

$ - This is one of the lower cost projects in the network, as it a short segment of roadway. Significant curb work, which can affect drainage, is proposed, including the gateway/path at the Greenway and the raised crosswalks at Bissell Avenue.

Issues & Opportunities

- **Sidewalking Parking:** Due to narrow roadway widths and a desire to keep autos out of street, cars are often parked on the sidewalk or blocking the sidewalk in short driveways
- **Landscape Sidewalk Buffer:** a landscape zone exists on 16th Street sidewalks, and residents in some blocks maintain the landscape strip while in others it has been paved over or is dirt. Opportunities exist to enhance existing landscape strip with low maintenance plants
- **Parked Cars at Greenway Entrance:** residents park perpendicularly against the entrance to the greenway, which blocks access for bicyclists and pedestrians and can create an unwelcome

feel to the Greenway. Prohibiting parking could allow for creation of a Greenway Gateway, community garden, or pedestrian plaza.

- **Existing Curb Extension at Macdonald Avenue**: the existing southwest curb extensions tapers onto Macdonald Avenue, creating longer crossing distances and an inconsistent pedestrian environment. Large turning radii is needed to accommodate buses coming out of BART.
- **Bicycle Boulevard Designation**: 16th Street is designated a proposed bicycle boulevard in the Richmond Bicycle Master Plan
- **Traffic Control:** Stop signs on 16th Street favor side-street traffic instead of bicycle boulevard traffic, causing bicyclists to start and stop

Key Proposals

16th Street between Richmond Greenway and Macdonald Avenue

- Bicycle boulevard signs and striping, including oversized bicycle boulevard stencils
- Replace existing landcape strip with bioswales and street trees, as width allows
- Yellow Brick Road Crosswalks: Colorized, stamped asphalt pattern of yellow bricks within all parallel crosswalks (raised and at-grade) on the route
- Yellow Brick Road Raised Intersections: Stamped asphalt with community-designed painted intersections
- Pedestrian and Bicycle Wayfinding Signs: Use WCCTAC design guidelines and sign types to indicate distance to activity centers along the route like schools, parks, and BART
- Pedestrian-scale lighting along corridor
- Landscaping and stormwater planters in curb extensions

Macdonald Avenue Intersection

- Curb extension on northwest corner of Macdonald Avenue/BART that accommodates AC Transit buses making the southbound right-turn onto Macdonald from the BART Station.

Livingston Avenue Intersection

- Raised crosswalk with decorative paving across Livingston Avenue

Bissell Avenue Intersection

- Raised crosswalks (or raised intersection) with decorative paving across Bissell Avenue
- Ladder crosswalks across 16th Street
- Curb extensions onto 16th Street at each corner

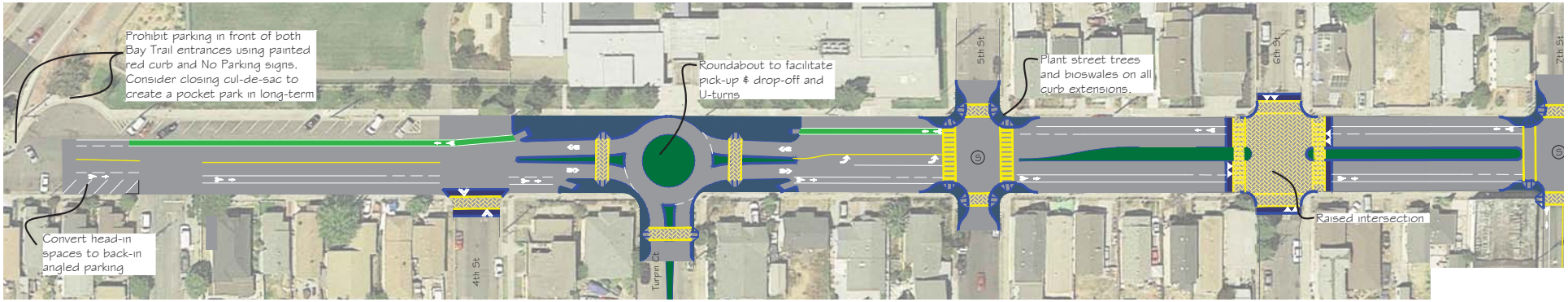
Chanslor Avenue Intersection

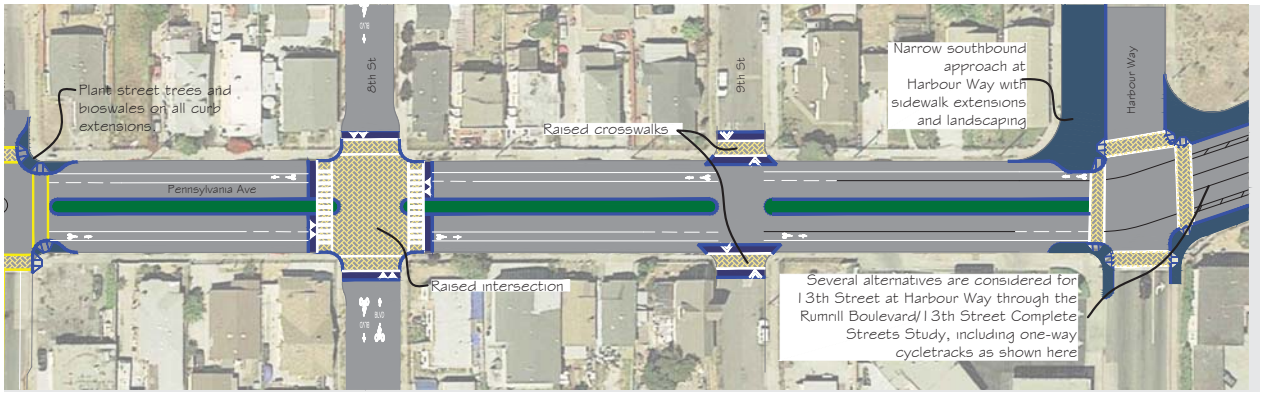
- Traffic circle with yield control
- Ladder crosswalks on all approaches

Richmond Greenway Cul-de-Sac/Intersection

- New pocket park at Richmond Greenway with gateway signage and community art installation
- Prohibit parking at cul-de-sac to accommodate pocket park

Pennsylvania Avenue





Description

Pennsylvania Avenue is a primary route for Peres Elementary School families. It is also a key connection between the School and Elm Playlot. Pennsylvania Avenue cul-des-sacs at the Richmond Parkway and extends east to Harbour Way, where it becomes 13th Street/Rumrill Boulevard. Substantial school pick-up and drop-off occurs on Pennsylvania Avenue and 4th Street along the school frontage. Many parents make mid-block U-turns across Pennsylvania Avenue. A four- to three-lane reduction occurred in 2012, which striped bicycle lanes and a center left-turn lane.

This project would colorize the existing Class II bicycle lanes along the school frontage, create a raised, landscaped median to provide pedestrian refuges at crosswalks, prevent mid-block U-turns, and improve the landscaping and aesthetics of the streetscape. Traffic calming improvements are also proposed, including raised intersections, raised crosswalks, and a single-lane roundabout at Turpin Court, adjacent to the school entrance. Yellow Brick Road wayfinding, colorized/stamped crosswalks, pedestrian-scaled lighting, and art would be located along the corridor.

Cost

$$$ - This is one of the higher cost projects in the network, as it includes significant traffic calming features to create a slower street. Key design features include a roundabout, multiple raised intersections and crosswalks, and a raised median, all of which affect roadway drainage, move curbs, and introduce landscaping.

Issues & Opportunities

- Harbour Way is a difficult intersection to navigate as a pedestrian with multiple right-turn slip lanes and could be realigned to improve accessibility, for which the Rumrill Boulevard/13th Street Complete Streets Study will refine recommendations
- Consider roundabout at Pennsylvania/Turpin Court to facilitate pick-up/drop-off turning movements along the school frontage

Key Proposals

Pennsylvania Avenue between Richmond Parkway and Harbour Way

- Raised, landscaped median between 4th and Harbour Way, with stormwater planters
- Green painted bicycle lane to highlight potential conflicts between bicycles and autos along the school frontage during pick-up and drop-off activity
- Yellow Brick Road Crosswalks: Colorized, stamped asphalt pattern of yellow bricks within all parallel crosswalks (raised and at-grade) on the route
- Yellow Brick Road Raised Intersections: Stamped asphalt with community-designed painted intersections
- Pedestrian and Bicycle Wayfinding Signs: Use WCCTAC design guidelines and sign types to indicate distance to activity centers along the route like schools, parks, and BART
- Pedestrian-scale lighting

Bay Trail/Richmond Parkway Intersection

- Stripe sharrows connecting to path entrance
- Prohibit parking in front of the path entrance

Turpin Court Intersection

- Roundabout with decorative pavement and ladder crosswalks and splitter islands
- Install “escape ramps” from bicycle lanes onto sidewalk for those who do not feel comfortable riding through the roundabout
- Utilize roundabout to facilitate school drop-off/ pick-up and allow U-turns

4th and 9th Streets Intersections

- Raised crosswalks with decorative paving across side-street

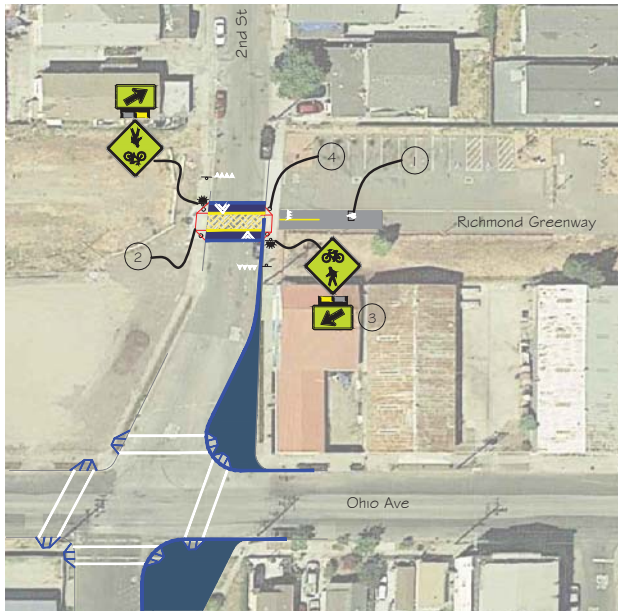
5th and 7th Streets Intersection

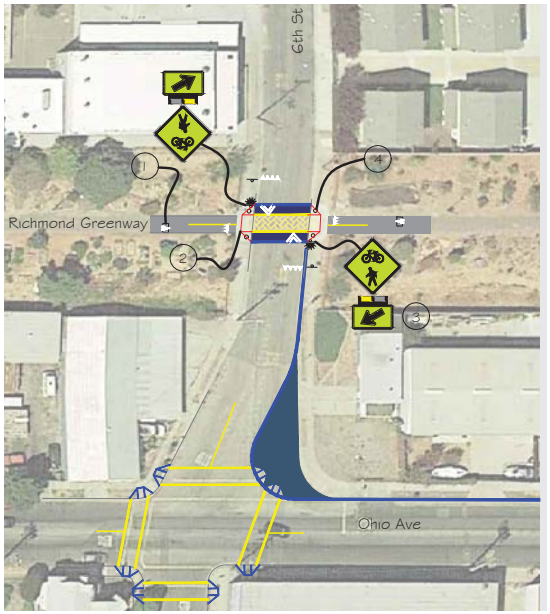
- Curb extensions onto 5th and Pennsylvania on all corners
- Ladder crosswalks across Pennsylvania and decorative stamped crosswalks across side-street

6th and 8th Streets Intersection

- Raised intersection with decorative paving
- Ladder crosswalks across Pennsylvania
- Standard crosswalks across side-streets
- Landscaped median refuges on east and west crosswalks

Richmond Greenway





Description

The Richmond Greenway is an important community asset and an east-west connection that runs through the entire Iron Triangle neighborhood. To the east, plans are in place to connect it with the Ohlone Greenway to connect to multiple East Bay communities. With Pogo Park's work on Harbour 8 Park and other park planning efforts, the Greenway is also an important neighborhood destination. Signs and beacons on the Greenway are often confusing to trail users and some crossing distances are long. Improvements on this route would improve crossings with Rectangular Rapid Flashing Beacons (RRFBs) with detection for both pedestrians and bicycles in addition to raised crosswalks/speed tables to decrease speed of approaching vehicles and emphasize the priority of trail users.

Cost

$$ - This is a relatively low cost project. The traffic calming features, including raised crosswalks and significant curb extensions to correct offsets at Ohio Avenue, require curb work and may affect roadway drainage.

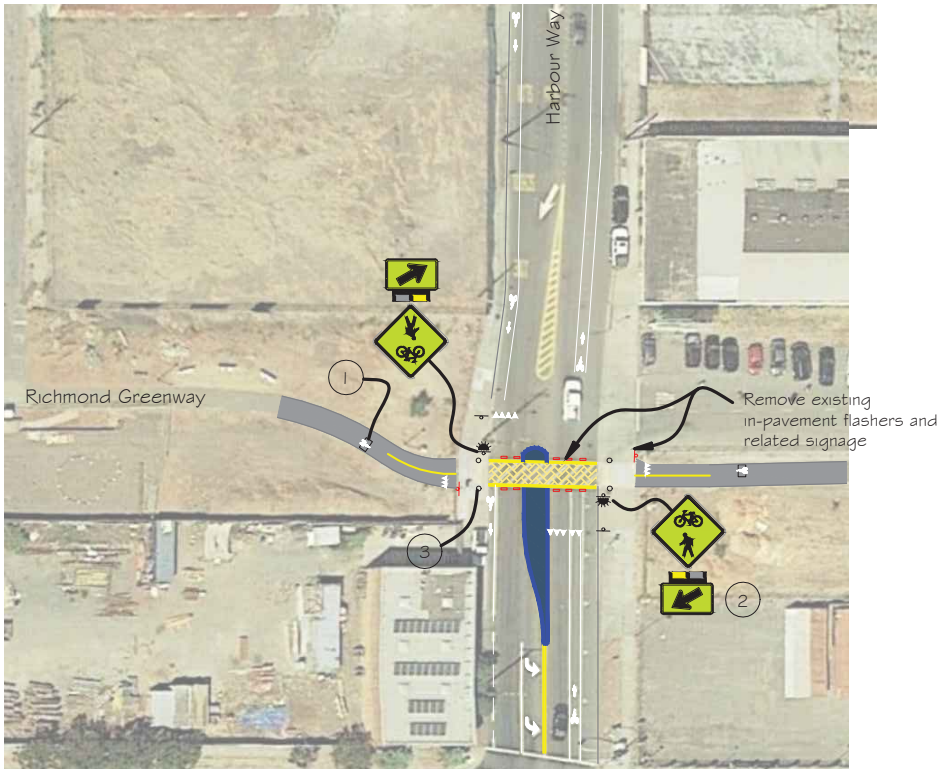
Issues & Opportunities

- **Existing Flashing Beacons:** While existing flashing beacons are in place, there is confusing, non-standard signage that creates confusion between trail users and drivers to who has priority and whether or not the beacons are activated.
- **Long Crossings at Some Locations:** At Harbour Way, a median refuge could be installed to allow trail users to cross in two stages and provide a safe space to wait for a gap in oncoming traffic.
- **Skewed Ohio Avenue Intersections at 2nd, 6th, and 8th Streets:** realign intersection to narrow intersection and address the intersection offset to reduce speeds and clarify expectations between all modes.
- **Greening and Landscaping along the Greenway:** build off the recent investments from Harbour 8 Park. Irrigation equipment was stolen and should be restored.

Key Proposals

Richmond Greenway between 2nd Street and Harbour Way

- Yellow Brick Road Trail Crossings: Colorized, stamped asphalt pattern of yellow bricks within all parallel crosswalks (raised and at-grade) on the route. Install rectangular rapid flashing beacons (RRFBs) with high-visibility trail crossing sign assembly (W11-15 and W11-15p or similar) at all trail crossings
- Pedestrian and Bicycle Wayfinding Signs: Use WCCTAC design guidelines and sign types to indicate distance to activity centers along the route like schools, parks, and BART



- Pedestrian-scale lighting
- Landscaping and stormwater planters

2nd, 4th, 6th, and 8th Streets Intersections

- Raised trail crossing with decorative paving and rectangular rapid flashing beacons (RRFBs)
- Advanced yield markings and install “Yield Here to Pedestrian” signs at all crosswalk approaches

Harbour Way Intersection

- Raised trail crossing with decorative paving and rectangular rapid flashing beacons (RRFBs)
- Advanced yield markings and install “Yield Here to Pedestrian” signs at all crosswalk approaches Install raised median refuge
- New Class II bicycle lanes on Harbour Way to access the trail

Ohio Avenue Intersection

- Curb extensions at intersections of Ohio Avenue with 2nd Street, 6th, and 8th Street to address skewed intersections, create clear expectations, and to reduce speeds through the intersections

Overview

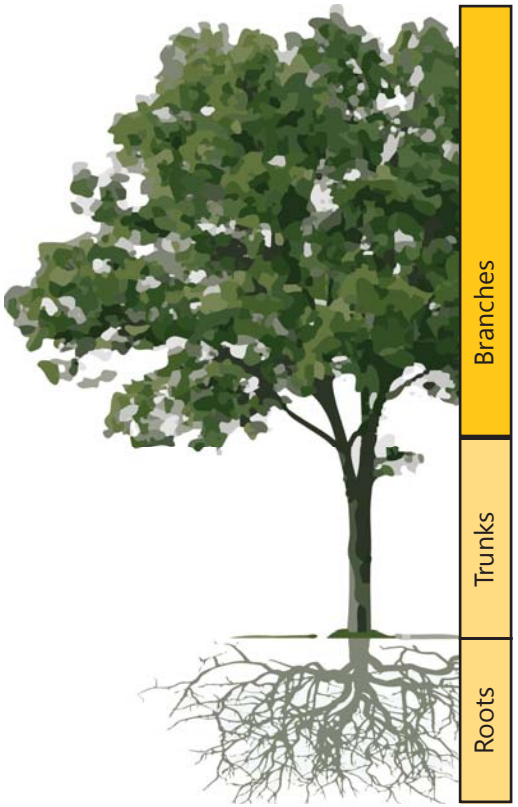
The “Branch Routes” are envisioned to create a finer grain Yellow Brick Road network, to fill in the gaps between the Roots and Trunk Routes. These are the third phase of the Yellow Brick Road. With the basic network in place, the following routes are anticipated to provide important secondary routes throughout the Iron Triangle:

1. **Lincoln Elementary School** — Chanslor Avenue, 4th Street, and 6th Street
2. **Lucas Avenue** — between 5th Street and Harbour Way
3. **Bissell Avenue** — between 4th Street and 16th Street

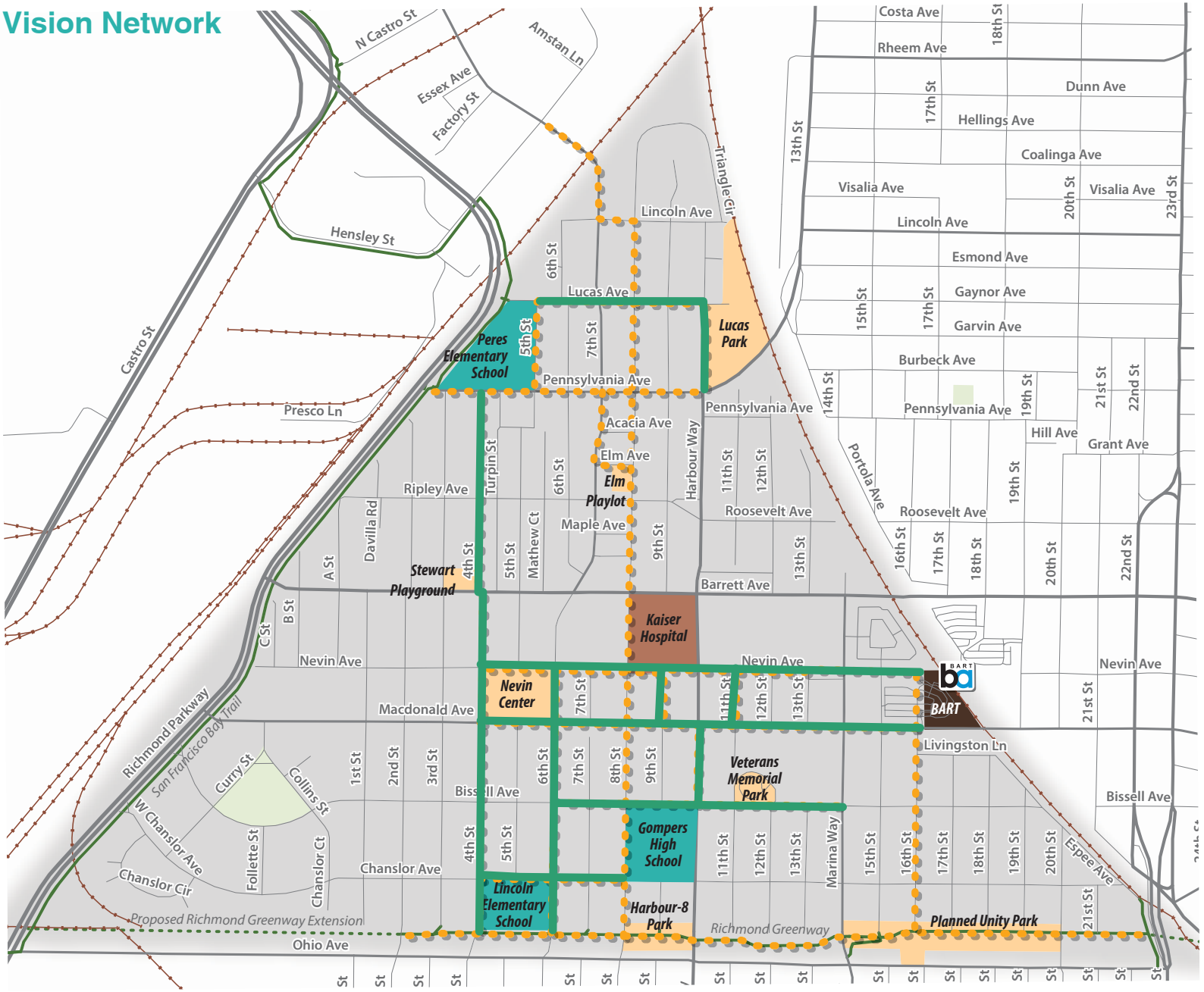
Concept diagrams and fact sheets are presented for each Trunk Route project on the following pages.

Additional Branch Routes

Macdonald Avenue, Nevin Avenue, 6th Street, 9th Street, Harbour Way, and 11th Street are additional Branch Routes in the Yellow Brick Road network. Macdonald Avenue, Nevin Avenue, 6th Street, and Harbour Way have proposed improvements and have been studied in further detail in the Richmond Bicycle Master Plan, Richmond Pedestrian Plan, and/or Richmond Livable Corridors. Plans for these roadways and the short segments of 9th and 11th Streets should include the range of treatments presented in the Design Guidelines section of this Plan.



Yellow Brick Road Vision Network



Legend

- Yellow Brick Road Routes
- School
- Park
- Iron Triangle Study Area
- Branches
- Existing Trail/Path
- Proposed Trail/Path

Lincoln Elementary School (Chanslor Avenue & 6th Street)

Description

Lincoln Elementary School is one of two neighborhood elementary schools in the Iron Triangle neighborhood. It is located adjacent to the Richmond Greenway, Chanslor Avenue, 4th Street, and 6th Street, all of which serve as important safe routes to school. Many parents and children walk to this school along Chanslor Avenue and although crosswalks are provided, additional pedestrian enhancements would improve the safety for school children using this route. Improvements in this area would narrow the crossing distances across Chanslor Avenue by adding median refuges and curb extensions. A raised intersection at Chanslor Avenue and 4th Street would emphasize the priority of pedestrians and reduce vehicle speeds.

Cost

$$ - This project involves curb work and traffic calming treatments which many affect drainage, including raised intersections and median refuges.

Issues & Opportunities

- **Vacant Parcels/Abandoned Buildings:** Several parcels and abandoned buildings along 5th Street and Chanslor Avenue could be rehabilitated and reactivated to create positive, attractive buildings adjacent to the school
- **Circulation Along School Perimeter:** Adding a pedestrian entry on 4th Street, along with a designated curbside drop off zone, could distribute school pick-up/drop-off and enhance connectivity of the pedestrian network, reducing distances for students walking to school from the south and west

Key Proposals

4th Street, 5th Street, Chanslor Avenue, and Ohio Avenue

- Work with other City agencies to rehabilitate vacant and abandoned properties
- Yellow Brick Road Crosswalks: Colorized, stamped asphalt pattern of yellow bricks within all parallel crosswalks (raised and at-grade) on the route
- Yellow Brick Road Raised Intersections: Stamped asphalt with community-designed painted intersections
- Pedestrian and Bicycle Wayfinding Signs: Use WCCTAC design guidelines and sign types to indicate distance to activity centers along the route like schools, parks, and BART

- Landscaping and stormwater planters
- Pedestrian-scale lighting
- Landscaping and stormwater planters

5th Street/Chanslor Avenue Intersection

- Decorative crosswalks on all approaches
- Median refuges for crosswalks across Chanslor Avenue

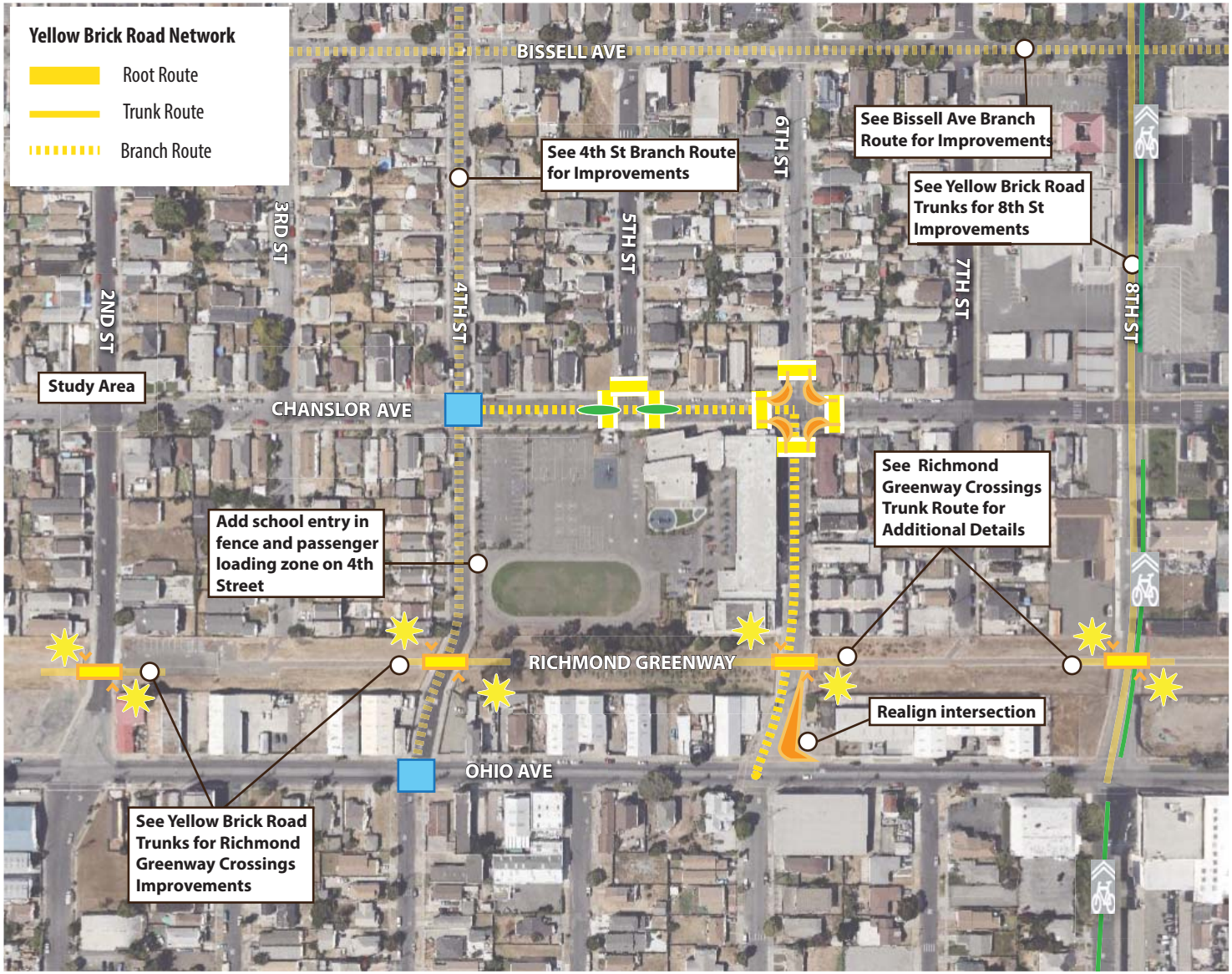
6th Street/Chanslor Avenue

- Decorative crosswalks on all approaches
- Curb extensions on all corners

4th Street/Chanslor Avenue and 4th Street/OhioAvenue Intersections

- Raised intersection with decorative paving

Lincoln Elementary School Proposed Improvements



Lucas Avenue

Description

Lucas Avenue is a residential street that runs east to west in the Iron Triangle neighborhood. The street ends with direct connections to pedestrian attractors on either end - Lucas Park on the east side and Peres Elementary School on the west side — and is fully contained within the Iron Triangle neighborhood with no outside connections for vehicles. Improvements on this route would improve offset intersections by adding curb extensions or traffic circles as well as add parallel Yellow Brick Road crosswalks to the route.

Cost

$$ - This is a relatively low cost project primarily consisting of stamped asphelt and crosswalk striping. Traffic circle require landscaping and curb work which could affect drainage.

Issues & Opportutnities

- **Offset/Skewed Intersections:** There are offset intersections along Lucas Avenue at 6th, 7th, and 8th Streets. Offset intersections disrupt a straight path for pedestrians and can cause long crossings at unmarked locations and confusion for drivers
- **Traffic Circles and Curb Extensions:** These tools can channelize vehicles along a predictable path and slow traffic down for pedestrians
- **Safe Routes to School:** Opportunity to create a safe route to school along Lucas Avenue from residents coming from north of the school

Key Proposals

Lucas Avenue between 5th Street and Harbour Way

- Yellow Brick Road Crosswalks: Colorized, stamped asphalt pattern of yellow bricks within all north-south crosswalks to highlight safe route to school along Lucas Avenue and 8th Street
- Pedestrian and Bicycle Wayfinding Signs: Use WCCTAC design guidelines and sign types to indicate distance to activity centers along the route like schools, parks, and BART

- Pedestrian-scale lighting
- Landscaping and stormwater planters

6th Street Interesction

- Traffic circle with Yield control on all approaches and landscaping
- Decorative paving in ladder crosswalks across 6th Street
- Traffic circle may be a dumbbell or similar configuration to account for the large intersection offset
- Install public art and landscaping in traffic circle while maintaining good sight lines between drivers, pedestrians, and bicyclists

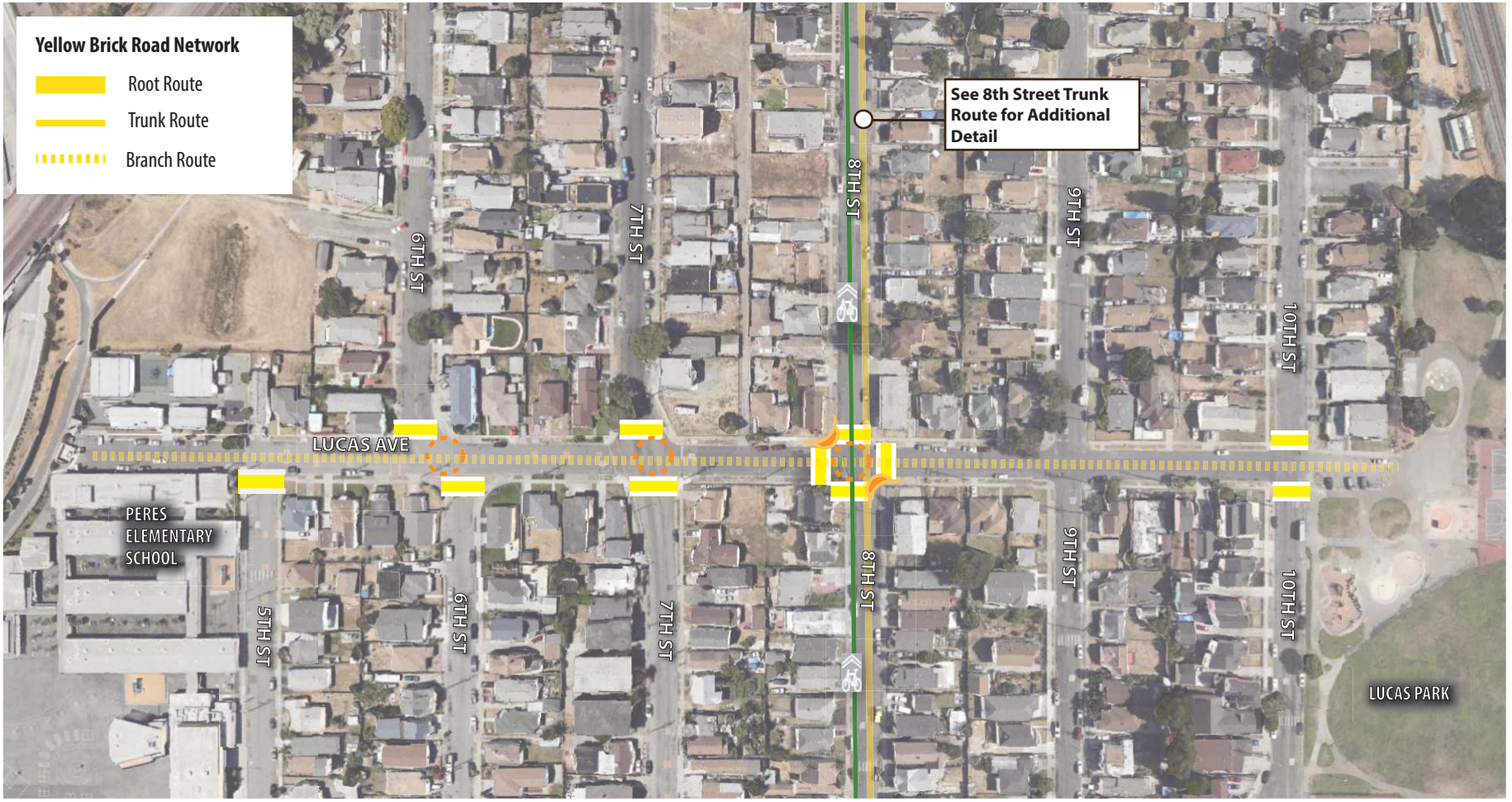
7th Street Interesction

- Traffic circle with Yield control on all approaches and landscaping
- Decorative paving with ladder crosswalks across 7th Street
- Install public art and landscaping in traffic circle while maintaining good sight lines between drivers, pedestrians, and bicyclists

8th Street Interesction

- Traffic circle with Yield control on all approaches and landscaping
- Decorative paving with ladder crosswalk across 8th Street
- Install curb extensions with stormwater planters/green infrastructure on northwest and south
- Install public art and landscaping in traffic circle while maintaining good sight lines between drivers, pedestrians, and bicyclists

Lucas Avenue Proposed Improvements



Raised Intersection

Crosswalk With Yellow Brick Stamped Asphalt Pattern

Raised Crosswalk

Curb Extension With Directional Curb Ramps

Bike Boulevard

Bike Lanes

Median Refuge

Rectangular Rapid Flashing Beacon Signage

Intall Traffic Circle

Bissell Avenue

Description

Bissell Avenue connects a variety of uses including residential and commercial, as well as parks, schools and churches. This route crosses multiple designated Yellow Brick Road routes such as 4th, 8th, and 16th Streets. Improvements on this route would improve pedestrian safety and access to Veterans Memorial Park by installing Rectangular Rapid Flashing Beacons (RRFBs) at the existing crosswalk at one end of Bissell Way and raising the offset intersection on the other end. Curb extensions at some of the major intersections along the route would reduce crossing distances and improve visibility of pedestrians.

Cost

$$$ - This project involves curb work and traffic calming treatments which many affect drainage, including raised intersections and curb extensions.

Issues & Opportunities

- **Commercial Loading:** Large trucks can block the sidewalk at commercial loading zones near Veterans Memorial Park
- **Uncontrolled Crosswalks:** East of 7th Street, many crosswalks are uncontrolled along Bissell Avenue. Depending on volumes and speeds, these may be candidates for further enhancements, including high-visibility ladder striping and, at higher volume and speed crossings, rectangular rapid flashing beacons (RRFBs)

Key Proposals

Bissell Avenue between 4th Street and 16th Street

- Yellow Brick Road Crosswalks: Colorized, stamped asphalt pattern of yellow bricks within all parallel crosswalks (raised and at-grade) on the route
- Yellow Brick Road Raised Intersections: Stamped asphalt with community-designed painted intersections
- Pedestrian and Bicycle Wayfinding Signs: Use WCCTAC design guidelines and sign types to indicate distance to activity centers along the route like schools, parks, and BART
- Pedestrian-scale lighting
- Landscaping and stormwater planters

4th Street Intersection

- Replace existing all-way Stop intersection at 4th Street with traffic circle with Yield control on all approaches
- Stripe ladder crosswalks at all approaches

6th Street, Harbour Way, and Marina Way Intersections

- Install curb extensions with stormwater planters/green infrastructure
- Decorative paving crosswalks across side-streets

8th Street and Bissell Way Intersections

- Install raised intersections to reduce speeds and prioritize pedestrians
- Decorative paving crosswalks across side-streets

11th Street Intersections

- Install raised crosswalks with decorative paving across 11th Street
- Consider enhancing existing uncontrolled crosswalk across Bissell Avenue with Rectangular Rapid Flashing Beacon (RRFB)

Bissell Avenue Proposed Improvements

Raised Intersection

Raised Crosswalk

Bike Boulevard

Rectangular Rapid Flashing Beacon

Median Refuge

Crosswalk With Yellow Brick Stamped Asphalt Pattern

Curb Extension With Directional Curb Ramps

Bike Lanes

T Intersection

4th Street

Description

The 4th Street YBR Branch Route provides a continuous north-south route on the west side of the Iron Triangle neighborhood. This route provides connections between Peres Elementary School, Nevin Center, Lincoln Elementary School, and the Richmond Greenway.

Cost

$$ - This project involves some curb work and traffic calming treatments which many affect drainage, including raised intersections and median refuges.

Issues & Opportunities

- **Uncontrolled Crosswalks**: intersections at Barrett Avenue and Nevin Avenue both have uncontrolled and unmarked crosswalks
- **Intersection Offset**: At Barrett Avenue, 4th Street is offset which may be difficult to negotiate for pedestrians and bicyclists
- **Long Blocks**: long blocks with limited traffic control may increase auto speeds

Key Proposals

4th Street between Pennsylvania Avenue and Ohio Avenue

- Install speed tables or speed humps to reduce speeds
- Yellow Brick Road Crosswalks: Colorized, stamped asphalt pattern of yellow bricks within all parallel crosswalks (raised and at-grade) on the route
- Yellow Brick Road Raised Intersections: Stamped asphalt with community-designed painted intersections
- Pedestrian and Bicycle Wayfinding Signs: Use WCCTAC design guidelines and sign types to indicate distance to activity centers along the route like schools, parks, and BART
- Pedestrian-scale lighting
- Landscaping and stormwater planters

Barrett Avenue Intersection

- Ladder crosswalks with median refuge areas across Barrett Avenue and enhance with rectangular rapid flashing beacon (RRFB)

Nevin Avenue Intersection

- Raised intersection

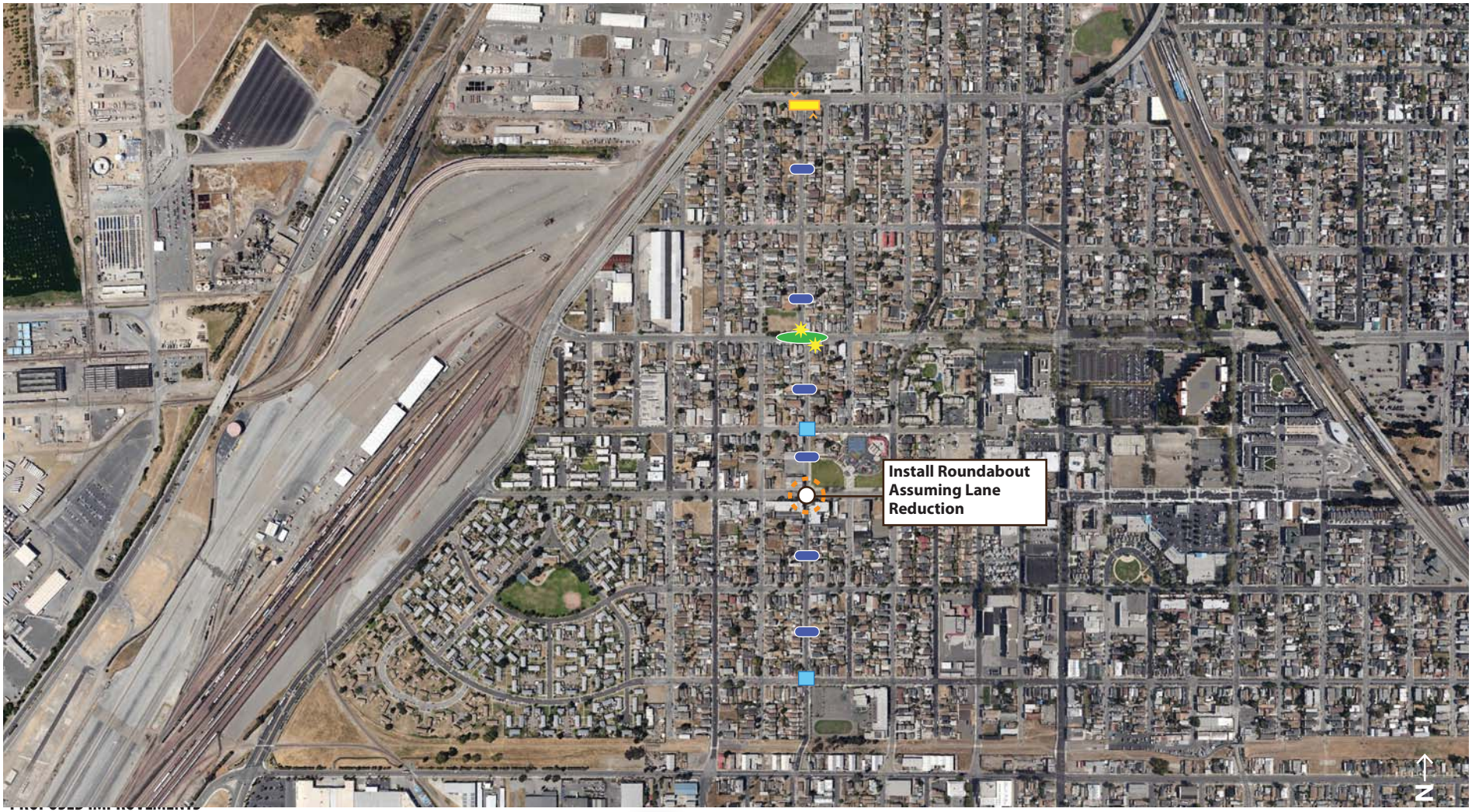
Macdonald Avenue Intersection

- Roundabout at intersection with Macdonald Avenue, assuming lane reduction on Macdonald Avenue
- OR ladder crosswalks with median refuges and Rectangular Rapid Flashing Beacons (RRFBs) across Macdonald

Bissell Avenue Intersection

- Replace existing all-way Stop intersection with traffic circle with Yield control on all approaches
- Stripe ladder crosswalks on all approaches

4th Street Proposed Improvements



Raised Intersection

Crosswalk With Yellow Brick Stamped Asphalt Pattern

Raised Crosswalk

Curb Extension With Directional Curb Ramps

Bike Boulevard

Bike Lanes

Intall Roundabout

Rectangular Rapid Flashing Beacon Signage

T Intersection

Median Refuge

Speed Table/Hump

SLOW
ELM

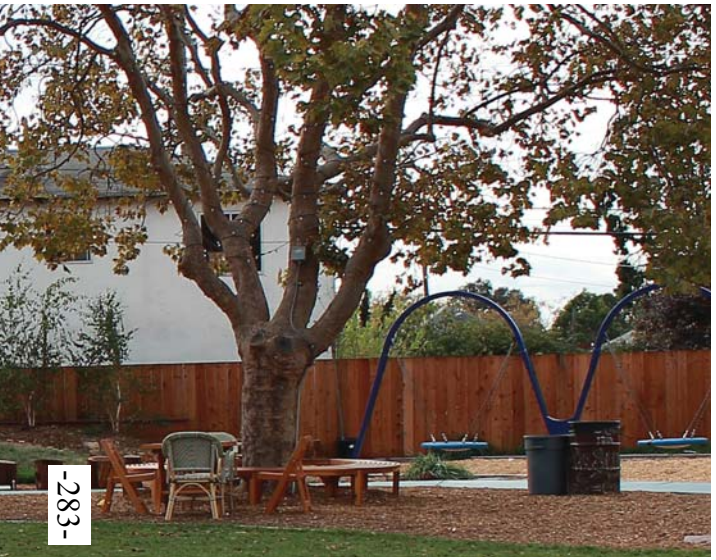
Vision Plan Going Forward

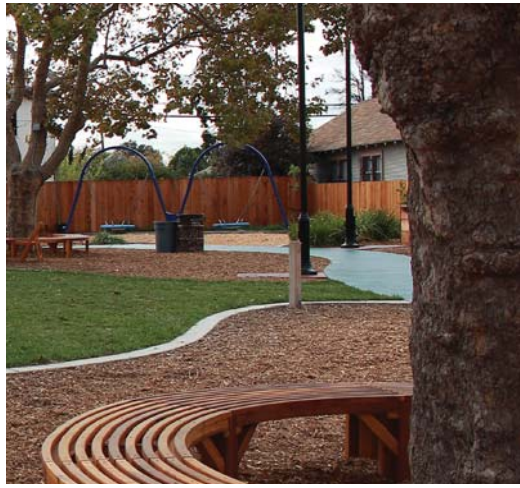
The Yellow Brick Road/Iron Triangle Vision Plan is intended to detail improvements first identified under the Richmond Pedestrian Plan. This document is organized around grant-ready fact sheets that the City and Pogo Park can take forward to secure grant funding based on concept designs, approximate cost estimates, public outreach documentation, and existing conditions information.

The Tree concept that frames this Plan is intended as a phasing plan for the Yellow Brick Road network. As such there are four distinct next steps envisioned for this project:

1. ***Adopt the Yellow Brick Road/Iron Triangle Neighborhood Plan as an Appendix to the Pedestrian Plan*** — integrate this planning document into the Richmond Pedestrian Plan by adopting this document as an appendix to the Pedestrian Plan. The Richmond Bicycle Master Plan can also be amended, as needed, to account for the bicycle improvements proposed in this Plan.
2. ***Secure Funding for & Implement the Roots Route: Elm Play Lot to Peres Elementary School*** — the concept design plans for the Elm to Peres Roots Route and corresponding cost estimate and fact sheet are intended to provide the City with clear documentation of the highest priority route associated with the Yellow Brick Road network. This project can be included in competitive grant applications to create the case for funding this critical Roots Route. While this route is a community priority, the City should pursue all Yellow Brick Routes opportunistically. Additionally, interim design improvements for all routes should be considered and may provide cost-effective, immediate solutions to improve walkability in the Iron Triangle neighborhood.
3. ***Secure Funding for & Implement the Trunk Routes: 4th Street, 8th Street, Pennsylvania Avenue, and the Richmond Greenway Trail Crossings*** — with the critical first phase in place and/or headed towards construction, identify grants and apply for funding for the Trunk Routes. The concept plans included in this Plan are scaled concept drawings prepared to a level of detail that will allow these projects to be competitive for grant funding. Detailed cost estimates should be prepared for the routes. The fact sheets included in this Plan can be included in competitive grant applications to create the case for funding the critical Root and Trunk Routes.
4. ***Continue to Develop the Branch Routes*** — Concept diagrams and project ideas are identified in this Plan for the secondary and tertiary Yellow Brick Road routes that will help create a fine-grained, highly-connected pedestrian-first network in the Iron Triangle. The City can pursue additional planning funding for these projects to further define the projects and get community feedback.

Yellow Brick Road





Yellow Brick Road

Iron Triangle Walkable Neighborhood Plan

Appendix A

Transforming lives by transforming public space.

FEHR PEERS

February 2015

Richmond

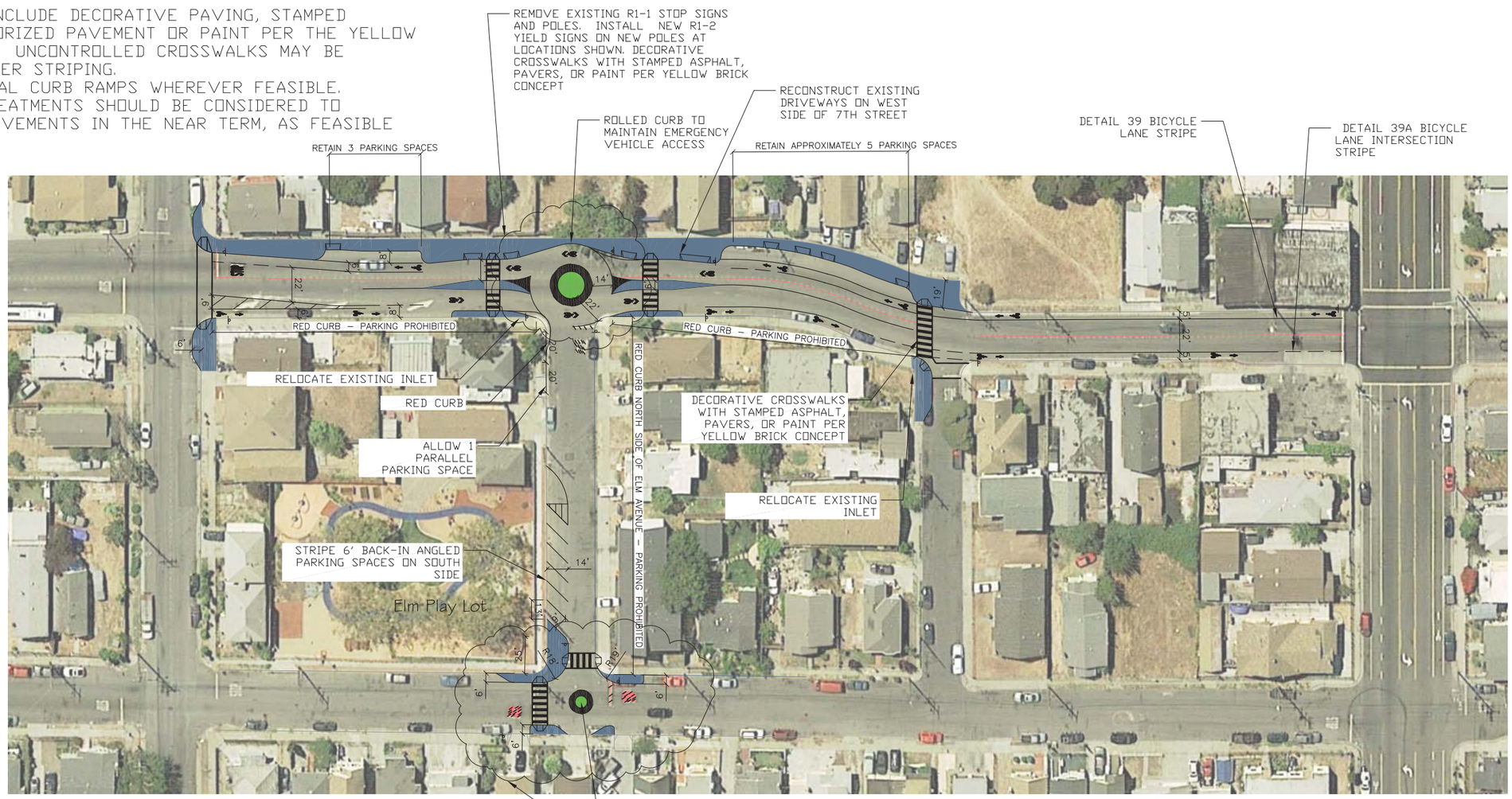
POGO PARK

Local Government Commission

VALLIER DESIGN ASSOCIATES, INC.

GENERAL NOTES:

1. CROSSWALKS MAY INCLUDE DECORATIVE PAVING, STAMPED ASPHALT AND/OR COLORIZED PAVEMENT OR PAINT PER THE YELLOW BRICK ROAD CONCEPT. UNCONTROLLED CROSSWALKS MAY BE HIGH-VISIBILITY LADDER STRIPING.
2. INSTALL DIRECTIONAL CURB RAMPS WHEREVER FEASIBLE.
3. INTERIM DESIGN TREATMENTS SHOULD BE CONSIDERED TO CONSTRUCT THE IMPROVEMENTS IN THE NEAR TERM, AS FEASIBLE



LEGEND

- NEW OR RECONSTRUCTED SIDEWALK OR CURB EXTENSION
- REPLACE AND RELOCATE EXISTING R1-1 STOP SIGNS WITH NEW R1-2 YIELD SIGNS
- CUSTOMIZED BICYCLE & PEDESTRIAN WAYFINDING SIGNS
- SHARROW (TYP.) IN SHARED LANES AND THROUGH ROUNDABOUTS
- MOUNTABLE AREA OF TRAFFIC CIRCLE, ROUNDABOUT, OR SPLITTER ISLAND FOR TRUCK & EMERGENCY VEHICLE ACCESS
- RAISED LANDSCAPED MEDIAN OR TRAFFIC CIRCLE
- CLASS II BICYCLE LANE LEGENDS (TYP.)

REVISIONS

NO.	DESCRIPTION	DATE	BY

FEHR & PEERS

100 Pringle Avenue Walnut Creek, CA 94596
Suite 600 (925) 930-7100

- Walnut Creek, CA
- Roseville, CA
- San Jose, CA
- San Francisco, CA
- Orange County, CA
- Los Angeles County, CA
- San Diego, CA
- Oakland, CA
- Salt Lake City, UT
- Reno, NV
- Denver, CO
- Seattle, WA

Designed By: ____
Drawn By: KR/CN
Checked By: CN/RM
Drawing No.: ____
Date: FEBRUARY 2014

CITY OF RICHMOND

ELM TO PERES – PHASE 1

YELLOW BRICK ROAD/IRON TRIANGLE NEIGHBORHOOD PLAN

SHEET 1 –OF– 1

#G-4.

CADD FILE: W:\Oakland N Drive\Projects\2013\WC13-3084_YBR_Walkable_Neighborhoods\CAD\30% Plans\3084-Str
Feb 25, 2015

Fehr & Peers Associates, its employees, its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.

Engineers Estimate of Construction Costs

FEHR PEERS

Project:	Yellow Brick Road: Elm to Peres Route
Location:	7th Street and Elm Avenue
Date:	02/25/2015
Project #:	WC13-3084
Checked:	RM

Signing & Striping

I.D	Design Element	Unit of Measure	Unit Cost	Quantity	TOTAL
	Signing				
000001	Install New Sign on New Post	ea	$700.00	28	$19,600.00
000002	Install New Customized Wayfinding Sign on New Post	ea	$1,000.00	16	$16,000.00
000005	Relocate Existing Sign and Post	ea	$400.00	1	$400.00
000008	Remove Existing Sign & Post	ea	$150.00	2	$300.00
	Striping				
000032	Detail 23 - Marker Type Double Yellow Center Line	lf	$4.50	173	$778.50
000033	Detail 24, 25, 27B - 4" Solid Edgeline	lf	$1.00	816	$816.00
000058	Detail 39 - Bike Lane (Paint)	lf	$1.25	1040	$1,300.00
000023	12" Limit Line/Crosswalk	lf	$6.60	754	$4,976.40
000032	Pavement Legends (Thermo)	sf	$8.50	274	$2,329.00
000033	Paint Curb	lf	$2.50	880	$2,200.00
000035	Remove Thermoplastic Striping and Markings	sf	$5.00	22	$110.00

CIVIL

I.D	Design Element	Unit of Measure	Unit Cost	Quanitty	TOTAL
	Paving/Curb				
000003	Slurry Seal	SF	$2.00	37000	$74,000.00
000004	Parking Lot Paving (3" AC/6" Class II AB)	SF	$6.00	2658	$15,948.00
000009	Concrete Curb	LF	$30.00	297	$8,910.00
000010	Concrete Curb & Gutter	LF	$40.00	1032	$41,280.00
000011	Concrete Driveway	SF	$15.00	504	$7,560.00
000012	Mountable Concrete Surface	SF	$15.00	639	$9,585.00
000013	Concrete Sidewalk	SF	$10.00	7341	$73,410.00
000016	Curb Ramp	EA	$3,500.00	12	$42,000.00
	Utilities				
000033	Drainage Inlet Relocation Along Pipe	EA	$7,500.00	2	$15,000.00
	Aesthetic/Architectural				
000044	Box Tree	EA	$750.00	6	$4,500.00
000045	Bench	EA	$1,000.00	4	$4,000.00
000046	Bike Rack	EA	$1,000.00	2	$2,000.00
000050	Decorative Crosswalk Paving	SF	$13.00	2520	$32,760.00
000053	Planting Area	SF	$20.00	559	$11,180.00
000057	Trash Can	EA	$400.00	4	$1,600.00
000058	Tree Grates	EA	$1,500.00	6	$9,000.00

	SUBTOTAL	$401,542.90
5%	*Traffic Control*	$20,077.15
10%	*Mobilization*	$40,154.29
10%	*Construction Managaement*	$40,154.29
20%	*Contingecy*	$100,385.73
	TOTAL CONSTRUCTION	$602,314.35
5%	*Environmental*	$30,115.72
15%	*Design*	$90,347.15
	TOTAL COST	**$722,777.22**

ATTACHMENT 1

RESOLUTION NO. __

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND ADOPTING THE DRAFT YELLOW BRICK ROAD IRON TRIANGLE WALKABLE NEIGHBORHOOD PLAN AS AN APPENDIX TO THE RICHMOND PEDESTRIAN PLAN

WHEREAS, the City of Richmond applied and received a Caltrans Environmental Justice Grant to develop the Yellow Brick Road Iron Triangle Walkable Neighborhood Plan (the "YBR Plan"); and

WHEREAS, the idea of the Yellow Brick Road was conceived by youth from the Iron Triangle as a project that would deploy thematic symbols on roads and sidewalks to designate safe walking routes and connect community key assets; and

WHEREAS, the Yellow Brick Road concept is identified in the Richmond Pedestrian Plan; and

WHEREAS, this Plan implements General Plan 2030 *Goal CR1: An Expanded Multimodal Circulation System*, with a focus on safer and more attractive conditions for all modes; "*Goal CR2: Walkable Neighborhoods and Complete Streets*" to make walking and biking more attractive and enhance connectivity between neighborhoods, schools, and work places; *Goal CR3: A Safe and Well-Maintained Circulation System*, which emphasizes safety and maintenance improvements; and *Goal CR5: Sustainable and Green Practices*, which emphasizes sustainable solutions including stormwater treatment through pedestrian amenities; and,

WHEREAS, the YBR plan was developed with significant community input and engagement from area residents;

WHEREAS, the YBR Plan is anticipated to serve as a model for other neighborhoods in Richmond and beyond; and

WHEREAS, the YBR plan is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, consisting of projects involving existing streets, highways, sidewalks, gutters and similar facilities involving a negligible or no expansion of use); and

WHEREAS, on May 11, 2015, the Richmond Bicycle Pedestrian Advisory Committee (the "BPAC") reviewed the draft YBR Plan and recommended City Council approval; and

WHEREAS, on May 19, 2015, the Council considered adoption of the draft YBR Plan as an appendix to the Richmond Pedestrian Plan; and

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby find that the above recitals are true and correct and have served, together with the Agenda Report dated May 19, 2015 as the basis for the findings and actions set forth in this Resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council does hereby adopt the draft Yellow Brick Road Iron Triangle Walkable Neighborhood Plan attached to the Agenda Report dated May 19, 2015 as an appendix to the City of Richmond Pedestrian Plan.

I CERTIFY, that the foregoing Resolution was adopted by the City Council of the City of Richmond, California at a regular meeting held on May 19, 2015, by the following vote:

AYES:

NOES:

ABSTENTIONS:

_____
PAM CHRISTIAN
CLERK OF THE CITY OF RICHMOND

Approved:

_____
THOMAS K. BUTT
MAYOR OF THE CITY OF RICHMOND

Approved as to form:

_____

BRUCE R. GOODMILLER
CITY ATTORNEY OF THE CITY OF RICHMOND

AGENDA ITEM REQUEST FORM

Department: Police Department **Department Head:** Chris Magnus **Phone:** 620-1802

Meeting Date: 5/19/2015 **Final Decision Date Deadline:** 5/19/2015

STATEMENT OF THE ISSUE: Richmond Compassionate Care Collective requests a modification of their permit to relocate from their previously approved location.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐**Other**_____

ITEM _____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☒ **Public Hearing** ☐ **Ordinance** ☐ **Other** _____

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: APPROVE Richmond Compassionate Care Collective's request for a modification of their marijuana dispensary permit to relocate from their previously approved location to a new location at 3190 Klose Way - Police Department (Chief Chris Magnus 6210-1802).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

H-1.

POLICE DEPARTMENT

AGENDA REPORT

DATE: May 19, 2015

TO: Mayor Butt and Members of the City Council

FROM: Chris Magnus, Chief of Police (621-1802)

SUBJECT: APPLICATION FOR MODIFICATION OF MEDICAL MARIJUANA COLLECTIVE PERMIT FOR RICHMOND COMPASSIONATE CARE COLLECTIVE - RELOCATION

STATEMENT OF THE ISSUE:

Richmond Compassionate Care Collective requests a modification of their permit to relocate from their previously approved location.

RECOMMENDED ACTION:

APPROVE Richmond Compassionate Care Collective's request for a modification of their marijuana dispensary permit to relocate from their previously approved location to a new location at 3190 Klose Way.

FINANCIAL IMPACT OF RECOMMENDATION:

The transfer of this collective's permit will allow the business to begin operations which would increase the special tax revenue. The Finance Department estimates that each permitted collective, when open and operating, would generate sales tax revenue of approximately $200,000 per year.

DISCUSSION:

Richmond Compassionate Care has maintained their permit by making quarterly payments totaling to date $195,357.50. Richmond Compassionate Care recently located and secured a property in a C-3 zone which meets the City's conditions and requirements as stated in the Richmond Municipal Code.

Description of the permit holder and the proposed location is as follows:

Richmond Compassionate Care Collective
Proposed location: 3190 Klose Way
Proposed days and hours of operation: Daily from 10:00 am to 8:00 pm

Richmond Compassionate Care Collective has entered into an agreement with the owners of this location to rent the location. The management group will obtain the proper permits needed to construct and operate the collective in full compliance with both state and local law.

DOCUMENTS ATTACHED:

Attachment 1 - Medical Marijuana Collective Permit Application Supporting Documentation

RCCC: REVISED 3/24/15

#H-1.

CITY OF RICHMOND
POLICE DEPARTMENT
Phone: (510) 233-1214

1701 Regatta Boulevard
Richmond, California 94804
www.richmondpd.net

MEDICAL MARIJUANA COLLECTIVE PERMIT APPLICATION FORM

NOTICE TO APPLICANTS

Please note that all completed applications will be reviewed and rated by a committee of City of Richmond staff members. All applications must be accompanied by the information and materials listed on the "**Medical Marijuana Collective Permit Application Submittal Checklist**."

GENERAL INFORMATION

Collective's Name: Richmond Compassionate Care Collective

State BOE Seller's Permit Number: SR CH 102-054536

Proposed Site Address: 3190 Klose Way, Richmond

Assessor Parcel Number(s): 405-290-034-90

PROPERTY OWNER ACKNOWLEDGEMENT & AUTHORIZATION

Property Owner's Name: Klose Way Partners, LLC (Samir Rohayem, Member)

Mailing Address: (Street, City, State, Zip) 3190 Hilltop Mall Road, Richmond, CA 94806

Phone: [redacted] **Fax:** (510) 223-1210 **Email:** [redacted]

In signing this application, I, as property owner, have full legal capacity to, and hereby do, authorize the filing of this application. I understand that the applicant proposes to distribute marijuana at the property and that any permit, if granted, is personal to the applicant and is not a land use entitlement.

X _____ Signature _____ Date

APPLICANT ACKNOWLEDGEMENT & AUTHORIZATION

Management Member Serving as Applicant: John Valdez, Executive Director

Mailing Address: (Street, City, State, Zip) 2 Townsend Street 3-105, San Francisco, CA 94107

Phone: [redacted] **Fax:** **Email:** [redacted]

In signing this application, I, as applicant, represent to have obtained authorization of the property owner to file this application. I agree to be bound by conditions of approval, subject only to the right to object at the hearing on this application or during the appeal period. If this application has not been signed by the property owner, I have attached separate documentation of full legal capacity to file this application and agreement to conditions of approval, subject only to the right to object at the hearings or during the appeal period.

X _____ Signature 3-24-15 Date

APPLICANT'S AGENT FOR SERVICE OF PROCESS

Agent's Name: John Valdez

Mailing Address: (Street, City, State, Zip) 2 Townsend Street 3-105, San Francisco, CA 94107

Phone: [redacted] **Fax:** **Email:** [redacted]

RICHMOND POLICE DEPARTMENT USE ONLY

LiveScan Date:	LiveScan Staff:	File No.:	Submittal Date:
Chief of Police's Determination:	☐ Approved with Conditions	☐ Denied	Date of Determ.:

3.30.11

#H-1.

COPY

RCCC: REVISED 3/24/15

CITY OF RICHMOND
POLICE DEPARTMENT
Phone: (510) 233-1214

1701 Regatta Boulevard
Richmond, California 94804
www.richmondpd.net

MEDICAL MARIJUANA COLLECTIVE PERMIT APPLICATION FORM

NOTICE TO APPLICANTS

Please note that all completed applications will be reviewed and rated by a committee of City of Richmond staff members. All applications must be accompanied by the information and materials listed on the "Medical Marijuana Collective Permit Application Submittal Checklist."

GENERAL INFORMATION

Collective's Name: Richmond Compassionate Care Collective

State BOE Seller's Permit Number: SR CH 102-054536

Proposed Site Address: 3190 Klose Way, Richmond

Assessor Parcel Number(s): 405-290-034-90

PROPERTY OWNER ACKNOWLEDGEMENT & AUTHORIZATION

Property Owner's Name: Klose Way Partners, LLC (Samir Rohayem, Member)

Mailing Address: (Street, City, State, Zip) 3080 Hilltop Mall Road, Richmond, CA 94806

Phone: [redacted] Fax: (510) 223-1210 Email: [redacted]

In signing this application, I, as property owner, have full legal capacity to, and hereby do, authorize the filing of this application. I understand that the applicant proposes to distribute marijuana at the property and that any permit, if granted, is personal to the applicant and is not a land use entitlement.

X _____ Signature 3/23/15 Date

APPLICANT ACKNOWLEDGEMENT & AUTHORIZATION

Management Member Serving as Applicant: John Valdez, Executive Director

Mailing Address: (Street, City, State, Zip) 2 Townsend Street 3-105, San Francisco, CA 94107

Phone: [redacted] Fax: Email: [redacted]

In signing this application, I, as applicant, represent to have obtained authorization of the property owner to file this application. I agree to be bound by conditions of approval, subject only to the right to object at the hearing on this application or during the appeal period. If this application has not been signed by the property owner, I have attached separate documentation of full legal capacity to file this application and agreement to conditions of approval, subject only to the right to object at the hearings or during the appeal period.

X _____ Signature _____ Date

APPLICANT'S AGENT FOR SERVICE OF PROCESS

Agent's Name: John Valdez

Mailing Address: (Street, City, State, Zip) 2 Townsend Street 3-105, San Francisco, CA 94107

Phone: [redacted] Fax: Email: [redacted]

RICHMOND POLICE DEPARTMENT USE ONLY

LiveScan Date:	LiveScan Staff:	File No.:	Submittal Date:
Chief of Police's Determination:	☐ Approved with Conditions	☐ Denied	Date of Determ.:

3.30.11

RICHMOND COMPASSIONATE CARE COLLECTIVE: SUPPLEMENTAL APPLICATION FOR 3190 KLOSE WAY

REVISED MARCH 24, 2015

(Significant Revisions are on page 1 only and are **bolded**, other minor corrections on pp. 2-3 as to mandatory City council procedure and lease being in place)

Existing and Proposed Use

The proposed site of RCCC is 3190 Klose Way. The building is a large, single use commercial space that **was previously a restaurant**. RCCC proposes to convert this space into a medical marijuana collective (aka, a medical cannabis dispensary).

Proposed Days and Hours of Operation

RCCC will operate from 10:00 a.m. to 8:00 p.m., 7 days a week.

Property Information

The owner, Klose Way partners LLC, and RCCC have executed a lease (attached).

New Exhibit A: Lease

Exhibit B: None—please delete, discard securely, and disregard original Exhibit B

Proposed Site and Building Improvements

RCCC proposes to make improvements to an existing building located at 3190 Klose Way. Build-out will involve adding walls to create two rooms at the main entrance for security purposes, as well as extending a wall in the dispensing area to separate it from storage and office space. Additionally there will be several offices, processing rooms, a safe room for secure vaults, and a counseling room adjacent to the public dispensing area. (See attached Floor Plans: Sheets A2 and A2.1.)

RCCC will maintain the landscaping at the property in order to beautify the space. There will be a security presence at the entrance and exit to the property to control traffic and we will place a small security station at the entrance to the parking lot.

Compatibility with Area

The area surrounding the proposed RCCC site consists largely of commercial retailers and offices.

RCCC has leased this large, single-occupancy building and plans to make minimal changes to the exterior of the building, specifically lighting and spike strips for security purposes. In addition to improving the aesthetics of the neighborhood, security will be considered in the landscaping plans at the site. All improvements RCCC makes to the site will improve the visual appearance and security of the surrounding area.

RCCC board members took great care in selecting the proposed dispensary location to ensure it is suitable for the needs of the collective members. The location provides medical cannabis patients with:

- Convenient location a short distance from the Interstate 580 on/off ramps.
- Dedicated off-street parking area with ADA-compliant handicap spaces.
- Extensive street parking.
- Ease of access to AC Transit with a bus stop at the Richmond Parkway Transit Center (0.5 miles from RCCC). AC Transit lines 70, 71, 376, LA, and LC.

Medical Marijuana Collective Permit Application Questionnaire

See attached questionnaire.

Management Members Information

John Valdez
Executive Director (Director and President)
2 Townsend Street Bldg 3/106 San Francisco, CA 94107
Phone: [redacted]
Email: [redacted]

Executive Director: The Executive Director (ED) oversees the daily operations of RCCC. The ED is responsible for ensuring that all policies and procedures are followed by RCCC management and staff. The ED is accountable to the Board of Directors for the daily operations of RCCC.

Experience: A third-generation Californian and long-time medical cannabis advocate, John Valdez brings more than two decades of experience in real estate, construction management and cultivation to RCCC. From 1999 to 2005, John, a licensed real estate broker, originated nearly $1 billion per year in residential mortgages for Bank One Home Loan Services, winning numerous awards and accolades, and developed a book of business that included more than 1800 mortgage bankers and brokers. Prior to this, John founded J.F.V. properties where he managed 450 residential apartment units and originated commercial and investment real estate loans for clients. John's general contractor background began with his founding of J.F.V Construction Company, where he rehabilitated 1-4 family residential properties. As founder and president, he oversaw the financing, sub-contracting, and project management aspects of the business. John would like to share these skills as part of RCCC's social mission by helping community groups acquire and rehabilitate distressed properties as low-income, single-family ownership residences in a model akin to *Habitat for Humanity*. John is currently president of San Francisco SOMA Properties, an independent real estate brokerage firm dealing in residential,

commercial and industrial properties.

Garib Karapetyan
Director (Secretary and Chief Financial Officer)
[redacted] Apartment [redacted] Sacramento, CA 95825
Phone: [redacted]
Email: [redacted]

Secretary and Chief Financial Officer: Responsible for corporate records and accounting.

Experience: A multi-lingual first generation immigrant US citizen, Garib Karapetyan is a small businessperson and consultant in Sacramento. Since 2011 he has been a Director and Treasurer of CC101 (CA Corporation No. C3352718), a medical cannabis dispensary in the City of Sacramento, located at 6435 Florin Perkins Rd. CC101 is currently in the final stage of the Sacramento medical cannabis dispensary permitting process for which final permits will be issued by May 31, 2015. Details can be confirmed by contacting:
Ranelle Woolums
Program Analyst
Revenue Administration, Finance Dept., City of Sacramento
PH: (916) 808.1251 FAX: (916) 808.5248
RWoolums@cityofsacramento.org

Exhibit C: Management Member Identification for Garib Karapetyan (CDL)

Exhibit D: LiveScan Receipt for Garib Karapetyan

Operating Conditions

RMC Chp. 7.102 Section 060(A)

Property satisfies all locational and Zoning Criteria.

The proposed RCCC site is located in the General Commercial (C-3) Zoning District as allowed by RMC Chapter 7.102.040(A). It satisfies all sensitive use proximity use restrictions. (See attached Floor Plans: Sheets A0.)

Richmond Municipal Code Chapter 7.102 Section 060 (B)

Exterior building and parking area lighting at the property are in compliance with all applicable provisions of this Code.

The exterior building and parking area lighting will be in compliance with all applicable provisions. RCCC plans to add adequate lighting at the exterior corners of the building to ensure proper illumination for video surveillance.

Richmond Municipal Code Chapter 7.102 Section 060 (C)

Windows and roof hatches at the property shall be secured so as to prevent unauthorized entry; equipped with latches that may be released quickly from the inside to allow exit in the event of emergency; and comply with all applicable Building and Fire Code provisions.

As described in the required security plan, all windows at the property will be secured in order to prevent unauthorized entry. All windows will be equipped with glass break sensors that are linked to a centrally-monitored alarm system. All windows will include an interior release to allow for exit in the event of emergency and will comply with all applicable Building and Fire Code provisions.

Richmond Municipal Code Chapter 7.102 Section 060 (0)

The property provides a sufficient odor absorbing ventilation and exhausts system so that the odor generated inside the property is not detected outside the property, anywhere on adjacent property or public rights-of-way, or within any other unit located within the same building as the medical marijuana collective.

The facility will employ negative air pressurization to eliminate air exchange from the dispensary to outside areas. Using Can-Fan filters and fans, all exhausted air will be emitted from the building after undergoing carbon (charcoal) filtration for the neutralization of odor to ensure no telltale odors are emitted to the outside.

Richmond Municipal Code Chapter 7.102 Section 060 (E)

The property is monitored at all times by close-circuit television for security purposes. The camera and recording system must be of adequate quality, color rendition, and resolution to allow the ready identification of an individual on or adjacent to the property. The recordings shall be maintained at the property for a period of not Jess than 30 days.

As described in the required security plan, the property will be monitored at all times by closed-circuit television. Prior to initiation, RCCC will install a closed circuit video surveillance system (CCTV). The video surveillance system will cover the exterior of the premises, including parking areas and all entrances to the building.

The video surveillance system will be a fully integrated analog and IP-based hybrid security system with full integration to the general alarm intrusion system via video monitoring linked to the central station 24 hours a day, 7 days a week.

The CCTV system is designed with domed cameras that are located throughout the facility. The camera system is digitally recorded in the secured storage area and viewed in the security viewing booth. The system is designed to be monitored on multiple screens, controlled by computer and recorded on a digital recording device. The video surveillance system exceeds the city's requirements through the use of pan, tilt and zoom cameras located both inside and outside the facility. Security personnel will monitor all video feed while the dispensary is open. Remote viewing is available at any time through an internet log-in system. In addition, Crime Alert will monitor video feed 24 hours a day.

All video will be stored on a redundant DVR system with 30 days of video storage accessible by remote from any personal computer. The system will be IP-based, providing greater flexibility, with the use of high-resolution megapixel cameras, and multiple streams for efficient operations and quick investigations. The CCTV surveillance recorders and servers will be located in designated secured rooms. The CCTV system will include a NVR (Network Video Recorder) 16CH analog

input plus eight IP camera inputs, or equivalent or superior equipment.

Richmond Municipal Code Chapter 7.102 Section 060 (F)

The property has a centrally-monitored fire and burglar alarm system.

As described in the required security plan, RCCC will install a centrally monitored alarm/intrusion detection system. RCCC will contract with Crime Alert, a recognized commercial security firm, to install the alarm/intrusion detection system. This system will be in use and monitored 24 hours each day.

The intrusion detection system will be designed to provide protection to the building perimeter and internal areas housing critical assets. The system will include door contacts, glass break sensors, duress buttons and other devices. Devices will monitor these areas on a 24/7 basis as determined by the time schedule (unarmed for business hours, for example, but 24/7 for roof protection). All alarms will be received at the security viewing booth and will be connected to a contracted alarm response company.

The intrusion detection system will also include a vault security system. The vault will be built to store the finished product, considered a critical asset. Intrusion detection devices shall include sound and vibration sensors, door contacts, motion detectors and duress buttons.

Richmond Municipal Code Chapter 7.102 Section 060 (G)

A sign is posted in a conspicuous location inside the property advising:

1. *The diversion of marijuana for non-medical purposes is a violation of State law.*
2. *The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery.*
3. *Loitering at the location of a medical marijuana collective for an i/ legal purpose is prohibited by California Penal Code Section 647(h).*
4. *This medical marijuana collective is permitted in accordance with the laws of the City of Richmond.*

RCCC will post the required signage within the dispensary, in an area visible to all patients on entry.

Richmond Municipal Code Chapter 7.102 Section 060 (I)

The medical marijuana collective meets all applicable state and local laws to ensure that the operations of the collective are consistent with the protection of the health, safety and welfare of the community, qualified patients and their primary caregivers, and will not adversely affect surrounding uses.

RCCC will ensure that its operations meet all applicable state and local laws to ensure the protection of the health, safety, and welfare of the community, qualified patients and their primary caregivers, and that the surrounding area is not adversely affected by the presence of *RCCC (see* security plan for more information).

Additional Location Compliance Details

The proposed Collective site is not in a high-crime area.

According to crime reports from the Richmond Police Department, the area surrounding the proposed site of RCCC is not a high-crime area. RCCC will use a state-of-the-art security system to deter theft and crime. In addition, onsite security personnel will monitor the premises with frequent patrols of the property and surrounding areas for any nuisance activity.

The type of site and building improvements proposed by the Collective will enhance the visual appearance of the site and surrounding neighborhood.

RCCC proposes to make improvements to an existing space located at 3190 Klose Way in Richmond, CA. The build-out involves providing five new interior walls and five interior doors. Minimal work to lighting and HVAC in the existing suspended ceilings will be needed to serve the new configuration. Furnishings, finishes and security devices will be installed after all build-out is complete. All proposed building improvements will enhance the visual appearance of the site and surrounding neighborhood.

Collective is located near other land uses that could help optimize natural surveillance and safety.

The area surrounding the proposed RCCC site consists largely of retail and commercial businesses. RCCC intends to make minimal changes to the exterior of the existing building, specifically the addition of lighting for security purposes, as its current condition already enhances the visual appearance of the property and surrounding community. The neighboring lots house commercial operations, compatible with the proposed use. RCCC is located near other land uses that will help optimize natural surveillance and safety.

The site layout and building design promote surveillance by police and persons in the surrounding area.

The proposed site layout has been designed with the safety and security our facility and the surrounding area in mind. All exterior areas of the building will be monitored by video surveillance systems. Additional exterior lighting will be added to ensure sufficient illumination of exterior spaces. The interior space of RCCC will also be monitored through a video surveillance system and will also use additional security features to ensure maximum protection. The site is located facing the entering roadway and a large parking lot, thus providing excellent visibility that promotes surveillance and security.

The Collective will provide adequate off-street parking for its employees and members.

The building at the proposed site is 8,877 square feet. The public dispensing location will be approximately 2,500 square feet, the healing center will be approximately 441 square feet, and approximately 5,500 square feet of offices, storage space, and processing facilities. The exterior parking lot will include 84 parking stalls, including 4 ADA-accessible parking stalls. As required by

the Richmond Municipal Code, retail operations are required to provide 2 parking spaces per 1,000 square feet of gross floor area. With the 84 exterior parking stalls, RCCC will far exceed the City's parking requirements.

Prohibited Activity Checklist

See attached checklists signed by all management members.

COPY

COMMERCIAL LEASE
MARCH 20, 2015

THIS LEASE is made and entered into as of March 20, 2015 ("Commencement Date"), by and between:

Klose Way Partners, LLC, a California limited liability company ("Landlord"); and

Richmond Compassionate Care Collective, a California Nonprofit Mutual Benefit Corporation, dba "comunity" ("Tenant")

Landlord, for and in consideration of payment of the sum specified in Section 2.01, below and observance of the covenants and agreements to be kept and performed by Tenant under this Lease, hereby leases to Tenant, and Tenant hires from Landlord, the following: the real property ("the "Leased Premises" or "Premises") commonly known as **3190 Klose Way, Richmond, California 94806,** and legally described in Exhibit "A" attached hereto and made a part hereof, consisting of a parcel of land of approximately 35,832 square feet improved with a free-standing restaurant building of approximately 8,875 square feet, and a paved parking area accommodating approximately 23 parking spaces within the boundaries of said parcel. As used in this Lease, the term "Premises" shall refer to both the Property and the improvements ("Improvements") thereon, as more particularly described in Section 3.01 (a), below.

ARTICLE I
TERM OF LEASE

Term

Section 1.01. This Lease shall be for a term of five (5) years, commencing at 12:01 a.m. on March 20, 2015 ("Commencement Date"), and ending at 12:01 a.m. on March 19, 2020 ("Term"), unless terminated earlier pursuant to the provisions of this Lease.

Holding Over

Section 1.03. In the event Tenant holds over and continues in possession of the Premises after expiration of the Term hereof, Tenant's continued occupancy of the Premises shall be deemed a month-to-month tenancy, at a rent for each monthly period of one-twelfth (1/12) of the

rent specified herein for the preceding lease year, subject to all other terms and conditions of this Lease.

Delivery or Transfer of Possession; Condition of Premises

Section 1.04. Subject to the conditions provided in this Section 1.04, Landlord shall deliver possession of the Premises to Tenant in sound and tenantable condition. Landlord shall deliver possession to Tenant within forty-eight (48) hours following approval by the City of Richmond of the Tenant's application for commencement of its business operations in the Leased Premises (the "Site Approval"), provided that such approval by the City shall be confirmed to Tenant in writing within sixty (60) days following the Commencement Date provided in Section 1.01, above. The date of such delivery of possession by Landlord to Tenant within said sixty (60) day period shall be the Date of Possession hereunder.

Cancellation

Section 1.05. (a) Landlord acknowledges that Tenant's intended use of the Premises is permitted under the current City of Richmond Municipal Code. Landlord is informed by Tenant that Tenant is a holder of a current and valid permit issued by the City of Richmond for the operation of a Medical Marijuana Collective, and that Tenant has a pending application for Site Approval of the Leased Premises. If Tenant fails to secure the necessary Site Approval from the City of Richmond within sixty (60) days after the Commencement Date, Tenant may cancel this Lease by written notice to Landlord within three (3) days after the relevant time limit. In the event Tenant elects to so terminate this Lease, this Lease shall become null and void as of the date Tenant delivers its written notice of cancellation to Landlord, and thereafter neither party to this Lease shall be under any further obligation or liability to the other because of this Lease, but Tenant's payment under Section 2.01 shall nevertheless be and remain non-refundable to Tenant.

(b) If Tenant fails to obtain approval from the City of Richmond and provide Landlord with written notice thereof within sixty (60) days after the Date of Commencement of this Lease, Landlord may cancel this Lease at any time within ninety (90) days thereafter by written notice of cancellation delivered to Tenant, provided, however, that the initial payment made by Tenant under Section 2.01 shall nevertheless be and remain non-refundable to Tenant.

(c) In the event of cancellation by either party as authorized hereunder, this Lease shall become null and void as of the date of delivery of written notice of cancellation by the party authorized to do so hereunder, and thereafter neither party to this Lease shall be under any further obligation or liability to the other because of this Lease

Subordination, Nondisturbance, and Attornment Provisions

Section 1.06. (a) This Lease shall be subordinate and subject to all mortgages and deeds of trust on the Leased Premises, whether recorded before or after this Lease; provided, that if any mortgagee or beneficiary elects to have this Lease superior to its mortgage or deed of trust and

gives notice of its election to Tenant, then this Lease shall be superior to the lien of any such mortgage or deed of trust; and provided, further, that in the event this Lease is subordinate to a mortgage or deed of trust, the conditions set forth in subsection (b), below, are satisfied.

(b) The subordination provided for under this Section is conditioned on and subject to the following requirement. For each mortgage or deed of trust, Landlord shall obtain from the mortgagee or beneficiary an agreement in writing that, in the event of foreclosure, or any sale under a foreclosure, this Lease shall not be terminated and Tenant's right to possession under this Lease shall not be disturbed, provided Tenant is not then in default under the Lease.

(c) In consideration of the mortgagee or beneficiary's agreement described in subsection (b), Tenant hereby agrees to attorn to the purchaser at any foreclosure, sale, or other action or proceeding, provided that the purchaser accepts the Premises subject to this Lease.

(d) The subordination described in this Section shall be effective without the necessity of having any further instruments executed by Tenant, but Tenant agrees to execute on demand any such further instruments evidencing subordination that Landlord or any mortgagee or beneficiary may reasonably request.

ARTICLE 2
RENT AND OTHER CONSIDERATION

Section 2.01. (a) In consideration of Landlord entering into this Lease and making the Leased Premises available to Tenant on the terms and conditions set forth herein, Tenant agrees to pay to Landlord on the Commencement Date specified in Section 1.01 above, the sum of [redacted]. Said payment shall be non-refundable to Tenant in the event of cancellation of this Lease and shall be fully earned when received by Landlord. Upon Landlord's delivery of possession to Tenant as provided, the full amount of Tenant's payment under this Section 2.01 shall be deemed to be a pre-payment of Rent due and to become due under this Lease.

Rent shall begin to accrue on the Date of Commencement specified in Section 1.01, and shall be payable according to the schedule of rent set forth in this Section 2.01, as follows:

Lease Period	Monthly Rent	Rent for Period
Months 1 thru 6	$ [redacted]	$ [redacted]
Months 7 thru 12	$ [redacted]	$ [redacted]
Year 2	$ [redacted]	$ [redacted]
Year 3	$ [redacted]	$ [redacted]
Year 4	$ [redacted]	$ [redacted]
Year 5	$ [redacted]	$ [redacted]

The Annual Rent for Years 3, 4 and 5 shall be subject to adjustment annually according to changes in the Consumer Price Index of the Bureau of Labor Statistics for the San Francisco Area, All Urban Consumers, from the most recent year prior to the year subject to adjustment for which figures are available ('CPI"). Such adjustment shall become effective as of the beginning of the lease year for which it is made.

(b) Rent shall be payable monthly on the first (1st) day of each and every month commencing on the first complete month following the Commencement Date. Rent for the month of March, 2015, shall accrue for the period from the Commencement Date through the last day of that month, and shall be payable on the first day of April, 2015, along with rent for that month. Rent shall be payable at the office of Landlord at 3080 Hilltop Mall Road, Richmond, CA 94806, or at any other place or places as Landlord may from time to time designate by written notice delivered to Tenant. Rent for any partial calendar month occurring at the commencement or termination of the term of this Lease shall be prorated on a daily basis.

(c) The Rent shall be payable on a "triple-net" (net, net, net) basis, in addition to Tenant's payment of the cost of all repairs and maintenance to the Premises, all property taxes (real and personal) and assessments, and all insurance premiums for fire, extended coverage and liability insurance.

ARTICLE 3
PREMISES AND USE THEREOF

Premises

Section 3.01. (a) The Leased Premises shall consist of that certain real property described in Exhibit "A" attached hereto and made a part hereof, containing approximately 35,832 square feet with improvements thereon consisting of an existing building of approximately 8,875 square feet, and paved parking area accommodating approximately 23 parking spaces within the boundaries of the Leased Premises. In addition to the Leased Premises as described herein, Landlord will make available to Tenant a non-exclusive revocable license use during the term of this Lease, but only until terminated or revoked, of a portion of that certain parcel of land ("Licensed Additional Parking Area") which is located adjacent to the Leased Premises and is more particularly described in Exhibit "B" attached hereto and made a part hereof, for parking of cars that cannot be accommodated by the parking area located on the Leased Premises. The Additional Licensed Parking Area consists of a paved parking area which accommodates approximately 61 parking spaces. The Leased Premises and the Additional Licensed Parking Area are depicted in that certain plan prepared by Anacal Engineering Company dated March 17, 2003, a copy of which is attached hereto as Exhibit "C" and made a part hereof. The area of the Additional Licensed Parking Area which shall be made available to Tenant shall be determined by Landlord in its sole and absolute discretion, and the right to use thereof may be terminated or revoked at any time by Landlord in its sole and absolute discretion.

A-h

(b) The non-exclusive license rights hereby assigned by Landlord to Tenant, are subject to all of the limitations and conditions set forth herein in the instruments creating or transferring the same, including that certain instrument entitled "Non Exclusive License" ("Non Exclusive License") recorded on January 15, 1987 as document 87-10988 in Book 13389 at page 962 of the Contra Costa County records. Said non-exclusive license rights were transferred and assigned to Landlord's predecessor in interest and then to Landlord by those certain instruments of assignment recorded on May 15, 2003 as document 2003-0227053 and document 2003-0227055 in the Contra Costa County records. Said non-exclusive license rights permit non-exclusive use by the owner (or tenant) of the Leased Premises of the adjacent land area referred to above as the Licensed Additional Parking Area described in said Exhibit "B" hereto, and designated as additional parking area for the restaurant business conducted on the Leased Premises, subject to conditions and limitations described in the Non-exclusive License instrument.

(c) The license rights hereby transferred by Landlord to Tenant are transferred without representation or warranty of any nature or kind whatsoever, either in general, or in particular with regard to the term or duration thereof, the possibility of further restriction or of termination thereof, the scope of permitted use thereof, the possibility of potential claims by others of a right or rights to the use and enjoyment thereof, and the responsibilities or duties which accompany any rights to the use and enjoyment thereof. Tenant hereby agrees to accept the privileges of using such non-exclusive license rights, as described and referred to herein, under the foregoing limitations and conditions, which said rights and privileges of Tenant may be terminated or revoked by Landlord at any time by written notice, and will in all events terminate and cease upon and concurrently with the expiration or earlier termination of this Lease of the Premises by Landlord to Tenant, without requirement of any further action by either party.

(d) ~~The personal property ("restaurant equipment" or "equipment") located within the Leased Premises (but is not included as a part of the Leased Premises, as defined herein) consists of commercial grade cooking and food preparation equipment, refrigeration equipment (not including the walk-in refrigerator/freezer which is a fixture and is included in the Leased Premises, as defined herein), lounge and dining room furniture, decorative improvements, and bar equipment as itemized in that certain list entitled "Restaurant Equipment" attached hereto as Exhibit "D" and made a part hereof.~~ OMITTED.

Permitted Use

Section 3.02. During the Term of this Lease the Premises shall be used for the sole and exclusive purpose of operating a licensed Medical Marijuana Collective dispensary and other legally permissible incidental services as authorized by permit issued by the City of Richmond, and for no other purpose. Tenant shall not use or permit the Premises to be used for any other purpose, without the prior written consent of Landlord and the appropriate permitting by the City of Richmond. In conducting the business specified in this Section in and on the Premises, Tenant shall sell only products, merchandise and other items, and render services, as allowed by law and customarily done by the operators of similar businesses in Contra Costa County.

Operation of Business

Section 3.03. (a) During the Lease's term, Tenant shall conduct business of the type and nature specified in Section 3.02 of this Lease on the Premises in a diligent and business like manner, and shall, unless prevented by casualty loss to the building which renders it unusable, strikes or labor stoppages, or other adverse conditions beyond Tenant's control, keep the Premises open for business during hours authorized under Tenant's permit or license. Tenant shall at all times keep the business adequately stocked and staffed to permit effective and sound business operations for the business being conducted. Tenant shall also maintain the Premises at all times during the term of this Lease in an attractive and inviting condition.

(b) Breach by Tenant of the covenant contained in this Section shall not excuse Tenant from its obligation to pay the Rent required under this Lease for the full term of the Lease. In the event Tenant ceases to operate its business on the Leased Premises, the Rent shall continue to be payable by Tenant as provided herein for the balance of the lease term occurring after the cessation of Tenant's business.

Insurance Hazards

Section 3.04. Tenant shall not commit or permit the commission of any acts on the Premises nor use or permit the use of the Premises in any manner that will increase the existing rates for or cause the cancellation of any fire, liability, or other insurance policy insuring the Premises or the improvements on the Premises. Tenant shall, at its own cost and expense, comply with any and all requirements of Landlord's insurance carriers necessary for the continued maintenance at reasonable rates of fire and liability insurance policies on the Premises and the improvements on the Premises.

Waste or Nuisance

Section 3.05. Tenant shall not commit or permit the commission by others of any waste on the Premises. Tenant shall not maintain, commit, or permit the maintenance or commission of any nuisance as defined in Civil Code Section 3479 on the Premises. Tenant shall not use or permit the use of the Premises for any unlawful purpose.

Compliance With Laws

Section 3.06. Tenant shall at Tenant's own cost and expense comply with all statutes, ordinances, regulations, and requirements of all governmental entities, federal, state, county or municipal, relating to Tenant's specific use and occupancy of the Premises, whether those statutes, ordinances, regulations, and requirements are now in force or are subsequently enacted.

COPY

ARTICLE 4
TAXES AND UTILITIES

Utilities

Section 4.01. Tenant shall pay, and hold Landlord and the property of Landlord free and harmless from, all charges for the furnishing of gas, water, sewer, electricity, telephone service, garbage pickup and disposal, and other public utilities to the Premises during the term of this Lease. All such charges shall be paid by Tenant directly to the provider of the service and shall be paid as they become due and payable but in any event before delinquency.

Personal Property Taxes

Section 4.02. Tenant shall pay before they become delinquent all taxes, assessments, and other charges levied or imposed by any governmental entity on the furniture, trade fixtures, appliances, and other personal property placed by Tenant in, on, or about the Premises including, without limiting the generality of the other terms used in this Section, any shelves, counters, vaults, vault doors, wall safes, partitions, fixtures, machinery, plant equipment, office equipment, television or radio antennas, and communication equipment brought on the Premises by Tenant.

Real Property Taxes

Section 4.03. (a) In addition to the rent specified in Article 2 of this Lease, Tenant shall pay all real property taxes and general and special assessments levied or assessed against the Leased Premises during the term of this Lease.

(b) Tenant's obligation to pay all real property taxes and general and special assessments on the Leased Premises shall also include the obligation to pay any increases in real property taxes and general and special assessments, whether the increase results from an increase in the property tax rate and/or increase in the valuation of the Leased Premises.

(c) The land occupied by the Additional Licensed Parking Area is assessed and taxed as part of a larger parcel of real property not owned by Landlord, and Landlord is obligated to pay real property taxes on such land as a condition of continuation of the license pertaining thereto. Landlord and Tenant agree that the amount of taxes payable by Landlord on said land will be paid by Tenant in addition to the taxes and assessments payable by Tenant on the Leased Premises. Landlord shall forward all tax statements for such land to Tenant no later than sixty (60) days prior to the delinquency date for payment of such taxes.

(d) The taxes and assessments levied against the Leased Premises during the first and last years of the term of this Lease shall be prorated between Landlord and Tenant for purposes of this Section as of 12:01 a.m. on Date of Commencement and termination respectively of this Lease.

(e) If any tax, assessment, or charge may be paid in one sum or in installments, Tenant may elect either method of payment and its election shall be binding on Landlord. If tenant makes the election to pay any tax, assessment, or charge in installments and any installment is payable after termination of this Lease, the unpaid installment shall be prorated as of the date of termination and the amount payable after the date of termination shall be paid by Landlord.

(f) Tenant shall not be required to pay any estate, gift, inheritance, succession, transfer, franchise, income, or other taxes of a similar nature that may be payable by Landlord or Landlord's legal representative, successors or assigns. Tenant also shall not be required to pay any tax that might become due on account of Landlord's ownership of property other than the Leased Premises, notwithstanding that tax may become a lien on the Leased Premises or be collectible from it.

Right to Contest Taxes

Section 4.04. Tenant shall have the right, at Tenant's sole cost and expense, to protest or contest in good faith the amount of any tax or assessment or to defer payment of the tax or assessment until final determination of the issue. On final determination, Tenant shall immediately pay the amount of the judgment rendered and all costs, charges, interest, and related penalties. The right granted to Tenant in this Section is conditioned, as follows: before any contest, Tenant shall deposit with Landlord the full amount of the tax or assessment, plus the amount of penalty that will be imposed on the Leased Premises for failure to pay the tax or assessment before it became delinquent, and one year's interest at the rate charged by the government entity imposing the tax or assessment on the amount of the tax or assessment.

ARTICLE 5
ALTERATIONS AND REPAIRS

Condition of Premises

Section 5.01. Tenant accepts the Premises, as well as the Improvements located on the Premises, in their current condition, and hereby agrees that the Premises and Improvements are deemed for all purposes under this Lease to be in good, clean, safe, and tenantable condition as of the date of this Lease. Tenant further agrees with and represents to Landlord that prior to entering into this Lease, Tenant, either personally or through its agents, contractors or consultants, have performed all inspections and verifications of the condition of the Premises considered necessary by Tenant, and have approved the condition of the Premises. Tenant certifies to Landlord that it has sought and received such professional advice and counsel from sources acceptable to Tenant as Tenant has deemed necessary and prudent in determining the condition of the Premises, and has verified by such means and by other means independent of Landlord or any agent of Landlord the truth of all facts material to this Lease, and that the Premises are being Leased by Tenant as a result of its own inspection and investigation and not

as a result of any representations made by Landlord or any agent of Landlord except those expressly set forth in this Lease.

Maintenance by Landlord

Section 5.02. Landlord shall have no responsibility under this Lease for maintenance of the Premises or any part or element thereof.

Maintenance by Tenant

Section 5.03. (a) Following acceptance of the Premises by Tenant, Tenant shall at its own cost and expense keep and maintain all portions of the Premises and all Improvements located on the Premises in good and serviceable order and repair and in as safe and clean a condition as they were when received by Tenant from Landlord, reasonable wear and tear excepted. Tenant's obligation to repair shall include all elements of the Premises and Building, including without limitation the structural elements, roof, exterior walls, and plumbing, electrical and HVAC systems, windows, doors, paved driveways and parking areas, landscaping and sprinkler. For purposes of this Section, "structural elements" shall include foundation, floors, walls (bearing and non-bearing), roof, any structural supports and bracing, and all other elements and systems essential to the physical integrity of the Building. Tenant's obligation of repair shall be to make all necessary repairs or replacements to all elements of the Premises and Building, including without limitation: to keep all painted surfaces (whether interior of exterior) in good and attractive condition, to keep all operating systems functioning properly, to keep all floor surfaces and coverings in good and attractive condition, and to detect and correct leaks and other water intrusion conditions, as well as pest control treatment.

(b) Should Tenant fail within thirty (30) days following written notice from Landlord to make any repairs or replacements required hereunder, or fail within said time to perform all proper maintenance as required hereunder, Landlord may make any such repairs or replacements or perform such maintenance for Tenant's account, and Tenant shall promptly, within thirty (30) days following written notice thereof from Landlord, reimburse Landlord for the cost of the repair, replacement, or maintenance, together with interest on those costs at the rate of ten percent (10%) per year from the date the costs were incurred by Landlord to the date they are reimbursed to Landlord by Tenant.

(c) Landlord and its agents shall have the right, after reasonable advance notice to Tenant, to enter the Premises at all reasonable times, including without limitation normal hours of Tenant's business operation, and at any time during any emergency condition, for the purpose of making any reasonable inspections or to make any repairs which are authorized under this Lease. Reasonable advance notice shall be presumed to be at least 24-hour advance written notice to Tenant in other than emergency conditions, and at least 30-minute advance telephonic notice in any emergency situation. Landlord shall conduct any such inspection or repair activities in such a way to cause as little disruption of Tenant's business or inconvenience to Tenant as reasonably possible.

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Maintenance of Plate Glass

Section 5.04. Tenant shall, at its own cost and expense, repair and replace any plate glass in any window on the Premises that is broken by any cause. Furthermore, Tenant shall at Tenant's own cost and expense at all times during the term of this Lease carry adequate plate glass insurance on the glass in all show windows on the Premises to perform the repair and replacement requirements of this Section. Should Tenant fail to repair or replace any glass broken in a window or fail to maintain adequate plate glass insurance on the glass in windows on the Premises, Landlord may replace or repair the broken glass or secure that insurance and Tenant shall promptly reimburse Landlord for the cost of the repair, replacement, or insurance. In addition, Tenant shall pay Landlord interest on those costs at the rate of ten percent (10%) per year from the date the costs were incurred by Landlord to the date they are reimbursed to Landlord by Tenant.

Alterations and Liens

Section 5.05. During the Term of this Lease, any remodeling, refurbishing, upgrades and improvements to the Premises required by the City of Richmond or any agency thereof, by other regulatory agencies, or made at the initiative of Tenant, shall be the sole responsibility of Tenant and shall be completed at Tenant's sole cost and expense. Tenant shall not make or permit any other person to make any such alterations to the Premises or to any Improvements on the Premises without the prior written consent of Landlord, following submittal to Landlord of full improvement plans approved by the City of Richmond, and submittal of Tenant's arrangements for financing and /or funding of all improvements and other work to be performed by Tenant on the Leased Premises. Landlord shall not unreasonably withhold its consent, but will not give its consent for commencement of work on such improvements unless Tenant has present proper evidence of receipt of all necessary approvals by the City of Richmond and of completion of adequate arrangements for funding/financing of such work, so that the premises will at all times be kept free of liens and claims arising from such work. Tenant agrees to maintain the Premises free and clear of any and all liens, claims, and demands for work performed, materials furnished, or operations conducted on the Premises at the instance or request of Tenant. Any and all alterations, additions, improvements, and fixtures (except furniture and trade fixtures placed in or on the Premises by Tenant or any other person) shall on expiration or earlier termination of this Lease, become the property of Landlord and remain on the Premises.

Inspection by Landlord

Section 5.06. Tenant shall permit Landlord or Landlord's agents, representatives, or employees to enter the Premises at all reasonable times for the purpose of inspecting the Premises to determine whether Tenant is complying with the terms of this Lease, for the purpose of doing other lawful acts that may be necessary to protect Landlord's interest in the Premises, or for the purpose of performing Landlord's duties under this Lease.

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Surrender of Premises

Section 5.07. On expiration or earlier termination of this Lease, Tenant shall promptly surrender and deliver the Premises to Landlord in as good condition as they are now at the date of this Lease, excluding reasonable wear and tear, and repairs required to be made by Landlord under this Lease.

ARTICLE 6
INDEMNIFICATION AND INSURANCE

Hold-Harmless Clause

Section 6.01. Tenant agrees to protect, indemnify, and save Landlord harmless from and against any all liability to third parties resulting from Tenant's occupation and use of the Premises, specifically including, without limitation, any claim, liability, loss, or damage arising by reason of: (a) the death or injury of any person or persons, including Tenant or any person who is an employee or agent or business invitee of Tenant, or by reason of the damage to or destruction of any property, including property owned by Tenant or any person who is an employee or agent of Tenant, and caused or allegedly caused by either the condition of the Premises, or some act or omission of Tenant or of some agent, contractor, employee, servant, subtenant, or concessionaire of Tenant on the Premises; (b) any work performed on the Premises or materials furnished to the Premises at the instance or request of Tenant or any agent or employee of Tenant; and (c) Tenant's failure to perform any provision of this Lease.

Public Liability and Property Damage Insurance

Section 6.02. Tenant shall, at its own cost and expense, procure and maintain during the entire term of this Lease public liability insurance and property damage insurance issued by an insurance company reasonably acceptable to Landlord and insuring Landlord against loss or liability caused by or connected with Tenant's occupation and use of the Premises under this Lease in amounts not less than: (a) $3,000,000 for injury to or death of one person and, subject to that limitation for the injury or death of one person, of not less than $5,000,000 for injury to or death of two or more persons as a result of any one accident or incident; and (b) $2,000,000 for damage to or destruction of any property of others. The insurance required under this Section shall name Landlord as an additional insured, and shall be issued by a responsible insurance company or companies authorized to do business in California and shall be in a form reasonably satisfactory to Landlord. Tenant shall within ten (10) days of the date of this Lease, deposit with Landlord a certificate showing that insurance to be in full force and effect. Tenant shall obtain review of such insurance coverage by a qualified insurance consultant or broker at least once per year, and shall, based on such review, increase the coverages stated above by an amount at least equal to increases in the cost of living, plus any additional amounts recommended by such insurance consultant or agent or reasonably necessary to afford full protection against loss by Tenant or Landlord.

Tenant's Personal Property

Section 6.03. Tenant shall, during the full term of this Lease and any renewals or extensions thereof, maintain at Tenant's own cost and expense an insurance policy issued by a reputable company authorized to conduct insurance business in California insuring for their full insurable value all fixtures and equipment appurtenant to the Premises and, to the extent possible, all inventory, supplies, merchandise or other salable items that are or may be located in or on the Premises at any time during the term of this Lease, Premises against damage or destruction by fire, theft, natural disaster, the elements or other cause.

Fire and Extended Coverage Insurance

Section 6.04. Tenant shall, during the entire term of this Lease, procure, carry, and pay for fire and extended coverage insurance, insuring the Building and other improvements on the Premises for one hundred percent (100%) of their full replacement value. The policy shall name Landlord as an additional insured and shall be issued by a responsible insurance company authorized to do business in California. The term "extended coverage" as used herein shall mean any casualties that are commonly included under the term "extended coverage" as that term is known and used in the casualty insurance industry.

Cancellation Requirements

Section 6.05. Each of the insurance policies shall be in a form reasonably satisfactory to Landlord and shall carry an endorsement that, before changing or canceling any policy, the issuing insurance company shall give Landlord at least thirty (30) days' prior written notice. Duplicate originals or certificates of all such insurance policies shall be delivered to Landlord.

ARTICLE 7
SIGNS AND TRADE FIXTURES

Installation and Removal of Trade Fixtures

Section 7.01. Tenant shall have the right at any time and from time to time during the term of this Lease, at Tenant's sole cost and expense, to install and affix in, to, or on the Premises any items (herein called "trade fixtures") for use in Tenant's trade or business that Tenant may, in Tenant's sole discretion, deem advisable and that are commonly and usually employed in similar establishments. Any and all trade fixtures provided by Tenant that can be removed without structural damage to the Premises or any building or improvements on the Premises shall, subject to Section 7.02 of this Lease, remain the property of the Tenant and may be removed by Tenant at any time before the expiration or earlier termination of this Lease, provided Tenant is not in default under the terms of this Lease and that Tenant repairs any damage caused by the removal of such items.

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Un-removed Trade Fixtures

Section 7.02. Any trade fixtures described in this Article that are not removed from the Premises by Tenant within thirty (30) days after the expiration or earlier termination of this Lease, regardless of cause, shall be deemed abandoned by Tenant and shall automatically become the property of Landlord as owner of the real property to which they are affixed.

Signs

Section 7.03. Tenant may erect, maintain, permit, and from time to time remove any signs in or about the Premises that Tenant may deem necessary or desirable, provided that any signs erected or maintained by Tenant shall comply with all requirements of any governmental authority having jurisdiction with respect thereto, and shall receive written approval by Landlord as to location, size, design and number thereof prior to installation by Tenant.

ARTICLE 8
DESTRUCTION OF PREMISES

Landlord's Obligation to Repair

Section 8.01. Except as otherwise provided in Section 8.02, below, if the Building on the Premises is damaged or destroyed by any cause during the Original Term of this Lease, Landlord shall promptly take action to repair, rebuild, or restore the Building to substantially the same condition as the Building was delivered to Tenant at the commencement of this Lease (i.e., exclusive of tenant fixtures and equipment) and shall be entitled for that purpose to receive any and all insurance proceeds. Landlord's obligation to repair, rebuild, or restore as described in this Section shall apply to the extent the insurance proceeds paid to Landlord are sufficient to cover the total cost of repair, restoration, or rebuilding. Provided insurance proceeds are available within such time, Landlord shall commence repair, restoration, or rebuilding, as appropriate, not later than ninety (90) days after occurrence of the event causing damage or destruction and shall cause construction to be completed not later than two hundred seventy (270) days after the occurrence of the event causing damage or destruction. In the event Landlord does not commence or complete construction within the time periods described in this Section despite the availability of insurance proceeds adequate for such purpose, Tenant shall have the right to terminate this Lease by giving Landlord written notice within thirty (30) days after expiration of either time period.

Landlord's Right to Terminate Lease

Section 8.02. Notwithstanding Section 8.01, Landlord shall have the right to terminate this Lease and shall have no obligation to repair, restore, or rebuild the Premises or the Building under any of the following circumstances: (a) damage or destruction from an insured casualty

when the damage or destruction cannot reasonably be repaired, restored, or rebuilt within a construction period of one hundred eighty (180) days; (b) damage or destruction from an uninsured casualty when the cost of repair, restoration, or rebuilding exceeds an amount equal to thirty percent (30%) of the replacement cost of the building; or (c) damage or destruction from an insured or uninsured casualty occurring during the last two (2) years of the Original Term of this Lease, if Tenant has not before the occurrence of such casualty elected to extend the Original Term of the Lease, or occurring at any time during the Extended Term, if any, of this Lease. If Landlord elects to terminate this Lease under any of the above circumstances, Landlord shall give written notice to Tenant not later than thirty (30) days after occurrence of the casualty.

Abatement of Rent

Section 8.03. If damage or destruction to the Premises renders the operation of Tenant's business impossible and Tenant in fact ceases to operate its business, the rent required under this Lease shall abate during the period in which Landlord is required to perform repairs or restoration, or to rebuild. Tenant shall also be excused from the payment of taxes and insurance attributable to that repair, restoration, or rebuilding period. In the event Tenant is able to continue partial operation of its business, Tenant shall continue to pay Rent as provided in this Lease, but the amount shall be reduced during the period of repair, restoration, or rebuilding by the same percentage as the Tenant's gross sales for the full month preceding the event causing the damage bears to the Tenant's gross sales for the full month following the event causing the damage.

ARTICLE 9
CONDEMNATION

Total Condemnation

Section 9.01. If at any time during the term of this Lease, title and possession of all of the Premises is taken under the power of eminent domain by any public or quasi-public agency or entity, this Lease shall terminate as of 12:01 a.m. on the date actual physical possession of the Premises is taken by the agency or entity exercising the power of eminent domain, and both Landlord and Tenant shall thereafter be released from all obligations under this Lease, except those described in Section 9.04.

Termination Option for Partial Condemnation

Section 9.02. If at any time during the term of this Lease, title and possession of only a portion of the Premises is taken under the power of eminent domain by any public or quasi-public agency or entity, Tenant may, at Tenant's option, terminate this Lease if more than thirty-five percent (35%) of the floor space of the Building or more than twenty-five percent (25%) of the parking area of the Premises is taken under the power of eminent domain. If Tenant elects to exercise the option granted under this Section, Tenant shall give Landlord at least thirty (30) days prior written notice of the effective date of such termination, and shall give such notice

within fourteen (14) days after Tenant receives notice of the taking that designates the precise area of the Premises to be taken. This Lease shall terminate as of the date specified for termination in Tenant's notice, or on the date actual physical possession of the Premises is taken by the public or quasi-public agency or entity, whichever date is earlier.

Partial Condemnation Without Termination

Section 9.03. If Tenant fails to exercise the option described in Section 9.02 of this Lease or if the portion of the Premises taken under the power of eminent domain is insufficient to give rise to the option described in Section 9.02 of this Lease: (a) This Lease shall terminate as to the portion of the Premises taken by eminent domain as of 12:01 a.m. of the day actual physical possession of that portion of the Premises is taken by the agency or entity exercising the power of eminent domain (the "date of taking"); (b) the Rent specified in Section 2.01 of this Lease, , shall, after the date of taking, be reduced by an amount that bears the same ratio to the Rent specified in Section 2.01 of this Lease as the square footage ground area of the portion of the Premises taken under the power of eminent domain bears to the total square footage ground area of the Premises as of the date of this Lease; and (c) Landlord, at Landlord's own cost and expense, shall remodel and reconstruct the Building remaining on the portion of the Premises not taken by eminent domain into a single efficient architectural unit as soon after the date of taking, or before, as can be reasonably done; provided, however, that the Rent specified in this Lease shall be abated or reduced, except as provided in subsection (b) of this Section, during remodeling and reconstruction.

Condemnation Award

Section 9.04. If at any time during the term of this Lease, title and possession of all or any portion of the Premises is taken under the power of eminent domain by any public or quasi-public agency or entity, the compensation or damages for the taking shall be awarded to and be the sole property of Landlord. Tenant hereby waives any and all rights to share in any damages or award.

ARTICLE 10
DEFAULT, ASSIGNMENT, AND TERMINATION

Restriction Against Subletting or Assignment

Section 10.01. Tenant shall not encumber, assign, sublet, or otherwise transfer this Lease, any right or interest in this Lease, or any right or interest in the Premises or any of the Improvements that may now or hereafter be constructed or installed on the Premises without first obtaining the express written consent of Landlord. Tenant shall not sublet the Premises or any part of the Premises or allow any other person, other than Tenant's agents, servants, and employees, to occupy the Premises or any part of the Premises without the prior written consent of Landlord. A consent by Landlord to one assignment, one subletting, or one occupation of the

Premises by another person shall not be deemed to be a consent to any subsequent assignment, subletting, or occupation of the Premises by another person. Any encumbrance, assignment, transfer, or subletting without the prior written consent of Landlord, whether voluntary or involuntary, by operation of law or otherwise, is void and shall, at the option of Landlord, terminate this Lease. Landlord's decision to grant or withhold consent for the assignment of Tenant's interest in this Lease or the subletting by Tenant of the Premises or parts of the Premises, shall be unconditional and subject to Landlord's absolute discretion.

Default Defined

Section 10.02. The occurrence of any of the following shall constitute a material default and breach of this Lease by Tenant: (a) any failure by Tenant to pay the Rent , or to make any other payment required to be made by Tenant under this Lease, when that failure continues for ten (10) days after written notice of the failure is given by Landlord to Tenant; (b) the abandonment or vacation of the Premises by Tenant (the absence of Tenant from or the failure by Tenant to conduct business on the Premises for a period in excess of ten (10) consecutive days shall constitute an abandonment or vacation for purposes of this Lease); (c) a failure by Tenant to observe and perform any other provision of this Lease to be observed or performed by Tenant, when that failure continues for a period of thirty (30) days after written notice of Tenant's failure is given by Landlord to Tenant; provided, however, that if the nature of that default is such that it cannot reasonably be cured within thirty (30) days Tenant shall not be deemed to be in default if Tenant commences that cure within the thirty-day period and thereafter diligently prosecutes such cure to completion within no more than ninety (90) days from the date of Landlord's notice; (d) the making by Tenant of any general assignment for the benefit of creditors; or the filing by or against Tenant of a petition to have Tenant adjudged a bankrupt or of a petition for reorganization or arrangement under any law relating to bankruptcy (unless, in the case of a petition filed against Tenant, it is dismissed within sixty (60) days from the date of filing); or the appointment of a trustee or receiver to take possession of substantially all of Tenant's assets located at the Premises or of Tenant's interest in this Lease, when such appointment is not rescinded within thirty (30) days; (e) the attachment, execution, or other judicial seizure of Tenant's assets located at the Premises, or of Tenant's interest in this Lease, or an attempted seizure by any law enforcement agency or authority of any part of the Leased Premises or Landlord's property contained therein if such seizure is not released within thirty (30) days; (f) Tenant's conduct of any business on the Leased Premises in violation of any applicable laws, or the commencement of any enforcement action by any law enforcement agency or authority against Tenant arising out of any alleged violation by Tenant of applicable laws occurring on the Leased Premises if such action is not withdrawn or terminated within thirty (30) days; or (g) any attempted assignment or subletting by Tenant of any interest or right of occupancy under this Lease without the prior written consent of Landlord. The notices provided for in subsections (a) through (c) of this Section 10.02 are not intended to replace, but rather are in addition to, any required statutory notices for unlawful detainer proceedings under Code of Civil Procedure Section 1161 et seq.

Termination of Lease and Recovery of Damages

Section 10.03. (a) In the event of any default by Tenant under this Lease, Landlord shall have the right, in addition to any other remedies available to Landlord at law or in equity, to terminate this Lease and all rights of Tenant hereunder by giving Tenant written notice of the termination. No act of Landlord shall be construed as terminating this Lease except written notice given by Landlord to Tenant advising Tenant that Landlord elects to terminate the Lease. In the event Landlord elects to terminate this Lease, Landlord may recover from Tenant: (a) the worth at the time of award of any unpaid rent that had been earned at the time of termination of the Lease; (b) the worth at the time of award of the amount by which the unpaid rent that would have been earned after termination of the Lease until the time of award exceeds the amount of rental loss that Tenant proves could have been reasonably avoided; (c) the worth at the time of award of the amount by which the unpaid rent for the balance of the term of this Lease after the time of award exceeds the amount of rental loss that Tenant proves could be reasonably avoided; and (d) any other amount necessary to compensate Landlord for any and all detriment proximately caused by Tenant's failure to perform its obligations under this Lease.

(b) The term "rent' as used in this Lease shall mean the Rent and all other sums required to be paid by Tenant pursuant to the terms of this Lease. As used in subsections (a) and (b), above, the 'worth at the time of award' is computed by allowing interest at the rate of ten percent (10%) per year. As used in subsection (c), the "worth at the time of award' is computed by discounting that amount at the discount rate of the Federal Reserve Bank of San Francisco at the time of award plus one percent (1%).

Landlord's Right to Continue Lease in Effect After Breach

Section 10.04. (a) If Tenant breaches this Lease and abandons the Premises before the natural expiration of the term of this Lease, Landlord may continue this Lease in effect by not terminating Tenant's right to possession of the Premises, in which event Landlord shall be entitled to enforce all its rights and remedies under this Lease, including the right to recover the rent specified in this Lease as it becomes due under this Lease. For as long as Landlord does not terminate this Lease, Tenant shall have the right to assign or sublease the Premises with the Landlord's prior written consent, which shall not be unreasonably withheld.

(b) No act of Landlord, including but not limited to Landlord's entry on the Premises, efforts to re-let the Premises, or maintenance of the Premises, shall be construed as an election to terminate this Lease unless a written notice of that intention is given to Tenant or unless the termination of this Lease is decreed by a court of competent jurisdiction.

Landlord's Right to Re-let

Section 10.05. In the event Tenant breaches this Lease, Landlord may enter on and relet the Premises or any part of the Premises to a third party or third parties for any term, at any rental, and on any other terms and conditions that Landlord in its sole discretion may deem

advisable, and Landlord shall have the right to make alterations and repairs to the Premises. Tenant shall be liable for all of Landlord's costs in re-letting, including but not limited to remodeling costs required for the re-letting. In the event Landlord re-lets the premises, Tenant shall pay all rent due under and at the times specified in this Lease, less any amount or amounts actually received by Landlord from the re-letting.

Landlord's Right to Cure Tenant Defaults

Section 10.06. If, after receipt of the required notice as provided for in § 10.02, Tenant breaches or fails to perform any of the covenants or provisions of this Lease, Landlord may, but shall not be required to, cure Tenant's breach. Any sum expended by Landlord, with the then maximum legal rate of interest, shall be reimbursed by Tenant to Landlord with the next due rent payment under this Lease.

Cumulative Remedies

Section 10.07. The remedies granted to Landlord in this Article shall not be exclusive but shall be cumulative and in addition to all remedies now or hereafter allowed by law or provided in this Lease.

Waiver of Breach.

Section 10.08. The waiver by Landlord of any breach by Tenant of any of one or more provisions of this Lease shall not constitute a continuing waiver or a waiver of any subsequent breach by Tenant either of the same or other provisions of this Lease.

ARTICLE 11
SECURITY DEPOSIT

Receipt of Deposit

Section 11.01 Tenant will deposit with Landlord the sum of [redacted], within forty-eight (48) hours following the Site Approval by the City of Richmond of Tenant's application for commencement of business operations in the Leased Premises as security for the full and faithful performance by Tenant of the terms conditions, and covenants of this Lease.

Deduction for Rent

Section 11.02 If at any time during the term of this Lease Tenant defaults in the payment of rent, or any portion of rent, under this Lease, Landlord may appropriate and apply so much of the security deposit as is necessary remedy any such default in the payment of rent.

Deduction for Repairs

Section 11.03. If at any time during the term of this Lease Tenant or Tenant's agents or employees damage the premises through want of ordinary care or any greater degree of culpability, then Landlord may appropriate and apply any portion of the security deposit reasonably necessary to fund the appropriate repairs.

Deduction for Cleaning

Section 11.04. If on termination of its tenancy Tenant fails to leave the Premises in a clean condition (i.e., comparable to the condition of the Premises at the time Landlord delivered possession to Tenant at the commencement of this Lease (excepting for ordinary wear and tear), then Landlord may appropriate and apply any portion of the security deposit reasonably necessary to put the premises in clean condition.

Application of Deposit Funds, Notice To Tenant, and Request for Replenishment

Section 11.05. (a) Upon appropriation and application (hereinafter "application") of any portion of Tenant's funds on deposit with Landlord, Landlord shall within five (5) of the date thereof give written notice to Tenant of such application of funds. Such notice shall include the date of such application, the amount thereof, the purpose thereof, and the amount of Tenant's funds remaining on deposit with Landlord after such application.

(b) In addition to items required under subsection (a), above, Landlord may include in the notice to Tenant thereunder a demand that Tenant replenish to Tenant's deposit account with Landlord the amount of funds so applied by Landlord. If the application of Tenant's funds for which notice is given represents a repeated application event within the preceding six-month period, Landlord shall have the right to request Tenant to increase Tenant's deposit with Landlord by a sum equal to twenty percent (20%) of the original deposit amount for each subsequent application event. Landlord's failure to request a deposit increase upon any such application event shall not constitute a waiver of Landlord's right to request such an increase upon future events, and the amount of the increase which Landlord may request upon any event occurring after Landlord's previous forbearance with respect to one or more prior events shall be the same as it would have been if Landlord has requested an increase each such prior event.

Custody of Deposit

Section 11.06. Landlord agrees to hold the security deposit for Tenant, free from the claim of any creditor of Landlord except a trustee in bankruptcy.

Transfer of Deposit

Section 11.07. If Landlord transfers Landlord's interest under this Lease in any manner, Landlord or Landlord's agent shall do one of the following acts, either of which will relieve

Landlord of further liability with respect to the deposit: (a) transfer the portion of the security deposit remaining after any deductions authorized by this Article or otherwise authorized by law, if any, to Landlord's successor in interest, and thereafter notify Tenant by personal delivery or certified mail of that transfer, and of the transferee's name and address. If the notice is personally delivered to Tenant, Tenant shall acknowledge receipt of the notice and sign Tenant's name on Landlord's copy of the notice. On receipt of the security deposit, or any portion of it, transferred to Landlord's successor in interest, the transferee shall have all of the rights and obligations of Landlord with respect to the security deposit; (b) return the portion of the security deposit remaining after any deductions authorized by this Article or otherwise authorized by law, if any, to Tenant.

Return of Deposit

Section 11.08. Landlord shall return to Tenant the portion of the security deposit remaining after any deductions authorized by this Article or otherwise authorized by law, if any, in the following manner. If a deduction has been made only for the nonpayment of rent, the remaining portion, if any, shall be returned not later than two weeks after the date Landlord receives possession of the Premises. If a deduction has been made for any other reason authorized by this Article or otherwise authorized by law, the remaining portion, if any, shall be returned not later than thirty (30) days from the date Landlord receives possession of the premises. Tenant shall not be entitled to any interest on any portion of the security deposit.

ARTICLE 12
MISCELLANEOUS

Force Majeure-Unavoidable Delays

Section 12.01. Excepting for Tenant's obligation for payment of rent and for maintenance and repair of the Premises, the performance of any act required by this Lease to be performed by either Landlord or Tenant, if prevented or delayed by reason of an act of God, strike, lockout, labor stoppage, or other unavoidable and compelling cause (except financial inability) which was not the fault of, and could not reasonably have been foreseen by, the party required to perform such act, the time for performance of such act may be extended for a reasonable time not exceeding the period of continuation of such condition or thirty (30) days, whichever is shorter, and performance of the act during such period, but not longer, will be excused. However, nothing contained in this Section shall excuse the prompt payment of rent or performance of maintenance and repair obligations by Tenant as required by this Lease, or the performance of any act rendered difficult solely because of the financial condition of the party required to perform the act.

Forbearance Not a Waiver

Section 12.02. Forbearance or delay by Landlord to exercise any right or remedy or take any responsive action for Landlord's benefit in the case of any breach or default by Tenant under

the terms of this Lease shall not constitute or cause a waiver by Landlord of such right or remedy or of any other right or remedy, or prevent exercise by Landlord of the same or any other right or remedy under this Lease.

Attorneys' Fees

Section 12.03. If any litigation is commenced between the parties to this Lease concerning the Premises, this Lease, or the rights and duties of either in relation to the Premises or to this Lease, the party prevailing in that litigation shall be entitled to, in addition to any other relief that may be granted in the litigation, a reasonable sum as and for its attorneys' fees, court or dispute resolution costs and other related costs in that litigation that are determined by the court in that litigation or in a separate action brought for that purpose.

Notices

Section 12.04. (a) Any notice to be given or to be served by one party to this Lease to the other must be in writing and is deemed to have been properly given, and received, as follows: (a) if by personal delivery, upon the day of actual delivery to the intended recipient; (b) if by mail, three (3) days following deposit in the United States registered or certified mail, with postage prepaid, of a sealed envelope containing said notice, addressed to the intended recipient at its address as shown in this Lease or as changed in the manner prescribed herein; (c) if by courier or expedited delivery service (such as Federal Express, UPS or other similar services), upon the day of actual delivery to the intended recipient with charges prepaid by the sender; and (d) if by facsimile machine, upon the date of transmission to the recipient, as evidenced by a machine or telephonic written record of such transmission identifying the sender as the source of such transmission and the intended recipient as the actual recipient thereof.

(b) The address for delivery of notice to each party to this Lease is follows:

Landlord: Klose Way Partners, LLC
3080 Hilltop Mall Road
Richmond, CA 94806

Tenant: Richmond Compassionate Care Collective
2 Townsend Street, 3-105
San Francisco, CA 94107

Each party's address as shown herein may be changed from time to time by written notice given by such party to the other party in a manner permitted above.

Binding on Heirs and Successors

Section 12.05. This Lease shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors, and assigns of Landlord and Tenant, but nothing in this

Section shall be construed as a consent by Landlord to any assignment of this Lease or any interest therein by Tenant excepting as provided in Section 10.01 of this Lease.

Partial Invalidity

Section 12.06. If any provision of this Lease is held by a court of competent jurisdiction to be either invalid, void, or unenforceable, the remaining provisions of this Lease shall remain in full force and effect unimpaired by the holding.

Sole and Only Agreement

Section 12.07. This instrument constitutes the sole and only full, final, and complete agreement between Landlord and Tenant respecting the Premises, the leasing of the Premises by Landlord to Tenant, or the terms, conditions and provisions agreed upon by the parties under this Lease, and this instrument correctly sets forth the obligations of Landlord and Tenant to each other as of its effective date. Any agreements or representations respecting the Premises or their leasing by Landlord to Tenant not expressly set forth in this instrument are null and void. All prior negotiations between the parties are subsumed into this Lease to the extent they have been agreed to, and if not agreed to by the parties such negotiations are not set forth in the terms and conditions of this Lease. This Lease may not be extended, amended, modified, altered, or changed, except in a writing signed by Landlord and Tenant.

Time of Essence

Section 12.08. Time is expressly declared to be of the essence in this Lease.

Arbitration of Disputes

Section 13.01. **IF ANY DISPUTE ARISES BETWEEN LANDLORD AND TENANT CONCERNING THE PREMISES, ANY PROVISION OF THIS LEASE, OR THE RIGHTS AND DUTIES OF EITHER IN REGARD THERETO, THE DISPUTE SHALL BE SETTLED BY ARBITRATION AS PROVIDED IN THIS SECTION. EACH PARTY SHALL APPOINT AN ARBITRATOR AND GIVE THE OTHER PARTY WRITTEN NOTICE OF THE NAME AND ADDRESS OF THE ARBITRATOR WITHIN TEN (10) DAYS AFTER A WRITTEN DEMAND TO DO SO HAS BEEN SERVED ON THE PARTY MAKING THE APPOINTMENT BY THE OTHER PARTY TO THIS LEASE. THE TWO APPOINTED ARBITRATORS SHALL, WITHIN TEN (10) DAYS AFTER THEIR APPOINTMENT, APPOINT A THIRD ARBITRATOR. THE WRITTEN DECISION OF ANY TWO OF THE THREE APPOINTED ARBITRATORS SHALL BE BINDING AND CONCLUSIVE ON BOTH PARTIES TO THIS LEASE. THE ARBITRATORS MAY APPORTION THE COSTS AND EXPENSES OF THE ARBITRATION PROCEEDING, INCLUDING ATTORNEYS' FEES AND ARBITRATORS' FEES, BETWEEN THE PARTIES TO THIS LEASE IN ANY MANNER DEEMED REASONABLE BY TWO OF THE THREE ARBITRATORS. THE**

ARBITRATION SHALL BE CONDUCTED IN ACCORDANCE WITH THE RULES OF THE AMERICAN ARBITRATION ASSOCIATION.

NOTICE: BY INITIALING IN THE SPACE BELOW YOU ARE AGREEING TO HAVE ANY DISPUTE ARISING OUT OF THE MATTERS INCLUDED IN THE "ARBITRATION OF DISPUTES" PROVISION DECIDED BY NEUTRAL ARBITRATION AS PROVIDED BY CALIFORNIA LAW AND YOU ARE GIVING UP ANY RIGHTS YOU MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR JURY TRIAL. BY INITIALING IN THE SPACE BELOW YOU ARE GIVING UP YOUR JUDICIAL RIGHTS TO DISCOVERY AND APPEAL, UNLESS THOSE RIGHTS ARE SPECIFICALLY INCLUDED IN THE "ARBITRATION OF DISPUTES" PROVISION. IF YOU REFUSE TO SUBMIT TO ARBITRATION AFTER AGREEING TO THIS PROVISION, YOU MAY BE COMPELLED TO ARBITRATE UNDER THE AUTHORITY OF THE CALIFORNIA CODE OF CIVIL PROCEDURE. YOUR AGREEMENT TO THIS ARBITRATION PROVISION IS VOLUNTARY.

WE HAVE READ AND UNDERSTAND THE FOREGOING AND AGREE TO SUBMIT DISPUTES ARISING OUT OF THE MATTERS INCLUDED IN THE -"ARBITRATION OF DISPUTES" PROVISION TO NEUTRAL ARBITRATION.

INITIALED BY LANDLORD: _____

INITIALED BY TENANT: _____

Executed on March 20, 2015 , at Richmond, California:

LANDLORD:

KLOSE WAY PARTNERS, LLC

By _____
Michel Rehayem, Member

By _____
Samir Rohayem, Member

TENANT:

Richmond Compassionate Care Collective

By _____
John Valdez, President

AGENDA ITEM REQUEST FORM

Department: PLANNING **Department Head:** RICHARD MITCHELL **Phone:** 307-8159

Meeting Date: 5/19/2015 **Final Decision Date Deadline:**_____

STATEMENT OF THE ISSUE: On May 7, 2015, the Planning Commission recommended City Council adoption of the Richmond Housing Element Update (2015-2023). The Housing Element (HE) is one of the seven state-mandated elements of a general plan. The purpose of the HE is to establish a set of policies and programs designed to meet the existing and projected housing needs of all economic segments in the community. This Element is required to be updated and the State Department of Housing and Community Development (HCD) must certify that the element complies with detailed statutory requirements.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐**Other**_____

ITEM _____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☒ **Public Hearing** ☐ **Ordinance** ☐ **Other** _____

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: ADOPT a resolution adopting the Addendum to the Richmond General Plan 2030 EIR and the draft 5th Cycle Housing Element Update - Planning and Building Services Department (Richard Mitchell 620-6706).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

H-2.

AGENDA REPORT

PLANNING AND BUILDING SERVICES DEPARTMENT

DATE: May 19, 2015

TO: Mayor Butt and Members of the City Council

FROM: Richard Mitchell, Director of Planning and Building Services
Lina Velasco, Senior Planner

SUBJECT: RICHMOND 5th CYCLE HOUSING ELEMENT UPDATE 2015-2023

STATEMENT OF THE ISSUE:

On May 7, 2015, the Planning Commission recommended City Council adoption of the Richmond Housing Element Update (2015-2023). The Housing Element (HE) is one of the seven state-mandated elements of a general plan. The purpose of the HE is to establish a set of policies and programs designed to meet the existing and projected housing needs of all economic segments in the community. This Element is required to be updated, and the State Department of Housing and Community Development (HCD) must certify that the element complies with detailed statutory requirements.

RECOMMENDED ACTION:

ADOPT a resolution adopting the Addendum to the Richmond General Plan 2030 EIR and the draft 5th Cycle Housing Element Update.

FINANCIAL IMPACTS:

If the Housing Element Update is adopted by City Council and certified by HCD before May 31, 2015, the City will be eligible to apply for funding under the Metropolitan Transportation Commission's (MTC) One Bay Area Grant (OBAG) Program. Under the OBAG Program, MTC awards grants for local streets and roads preservation, bicycle and pedestrian improvements, transportation for livable communities, safe routes to schools, and priority conservation area projects. Last cycle's pool of available funds was $44 million. The funding pool for this cycle has not been announced; however, staff expects it will be similar.

BACKGROUND:

The housing element is one of the seven state-mandated elements of a general plan. Its purpose is to establish a set of policies and programs designed to meet the existing and projected housing needs of all economic segments in the community. Previously, the housing element was required to be updated every five years; however, with this 5th cycle, this requirement is changing to every eight years. As part of the update, HCD must certify that it complies with detailed statutory requirements.

Richmond's Housing Element was last updated in January 2013 and it covered the 2007-2014 planning period. This update was completed after the required HCD deadline for the 4th Cycle; therefore, the City needs to complete it sooner than the typical five-year cycle.

The City contracted Lisa Wise Consulting, Inc. to assist with preparing the Housing Element Update. An initial draft of the Housing Element Update for the current planning period was submitted to HCD and released for public review on April 24, 2015. HCD provided its comments on the revised draft to City staff and the consultant team on April 30, 2015 via conference call. City staff and the consultant team received positive feedback on the draft and were informed that it could be certified if minor changes were made to the document. Revisions addressing HCD and the Planning Commission's comments were submitted to HCD for review on May 11, 2015, and according to HCD, the Housing Element Update meets all the statutory requirements and is eligible for State certification upon City Council adoption (see Attachment 4). The draft Housing Element (see Attachment 2) proposed for Council adoption reflects the changes requested by HCD and the Planning Commission. The edits are shown in underline strikethrough format. Underline refers to text added and ~~strikethrough~~ refers to text deleted.

Environmental Review

On April 24, 2012, the City Council certified the Richmond General Plan 2030 Environmental Impact Report (EIR) (SCH#2008022018) and adopted the Richmond General Plan 2030 document. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15164, the City has prepared a proposed addendum (Attachment 3) affirming that the analysis contained in the Richmond General Plan 2030 EIR adequately addresses the potential environmental impact associated with implementation of the proposed Richmond Housing Element Update. This is primarily because the Housing Element Update does not contemplate an amount of housing unit development over and above what was assumed in the Richmond General Plan 2030 EIR.

DISCUSSION:

Planning Commission Recommendation

On May 7, 2015, the Planning Commission recommended City Council adoption of the Addendum to the Richmond General Plan 2030 EIR and adoption of the draft Housing Element Update with some edits to the recommended program and programs dates. The version being recommended for adoption incorporates the Planning Commission's recommended edits to housing element programs H-1.2.3, H-1.2.4, H-1.3.5, H-1-4.1, H-1.4.4, H-2.7.1, and H-4.2.3 and the addition of program H-1.4.5.

The recommended edits included: 1) modifying the residential site inventory program (H-1.2.3) to include vacant and underutilized industrial and commercial land; 2) modifying the residential site marketing program (H-1.2.4) to include development of a comprehensive marketing and branding strategy that promote Richmond's unique qualities and amenities, and coordinate with other large-scale planning efforts; 3) modifying the affordable housing incentives program (H-1.3.5) to consider additional density bonus or other concession for housing developers that use local labor; 4) modifying programs H-1.4.1, H-1.4.4, and H-2.7.1 to develop parking demand management measures when parking reductions are being considered for housing development to ensure that parking supply efficiently meets demand; 5) the addition of program H-1.4.5 requiring that as part of the Comprehensive Zoning Update, alternative housing types, such as "tiny house" be studied and evaluated for inclusion; and 6) modifying program H-4.2.3 to state that the rent control ordinance study be more focused on implementation, in addition to evaluating their effectiveness and changed the completion deadline from 5/31/2016 to 10/31/2015 The edits are shown in underline strikethrough format. Underline refers to added text and ~~strikethrough~~ refers to deleted text.

Overview of the Housing Element Update

2014-2022 Regional Housing Needs Allocation (RHNA)

To determine the RHNA for each jurisdiction, ABAG takes into consideration factors such as market demand for housing, employment opportunities, availability of suitable sites and public facilities, commuting patterns, loss of subsidized affordable housing units, distribution of household growth, and over-concentration of lower income households. In addition, as a result of the passage of Senate Bill 375 (Chapter, Statutes of 2008), the RHNA must be consistent with the development pattern included in the Sustainable Communities Strategy (SCS) of the Regional Transportation Plan (RTP). SB 375 requires that each region plan for future housing needs and complementary land uses, which in turn must be supported by a transportation investment strategy with a goal of reducing greenhouse gas (GHG) emissions from cars and light-duty trucks.

As shown in Table 1, below, Richmond's total RHNA for the current planning period is 2,435 new housing units. For this planning period, Richmond needs to identify adequate sites for 743 housing units affordable to very low and low-income households and 1,692 housing units affordable to moderate and above moderate households. Since January 1, 2014 through May 7, 2015, a total of 892 housing units have been approved, permitted, and/or completed in Richmond. Of those units, 601 were for very low and low-income households and 291 for moderate and above moderate income households. A total of 1,543 new housing units will need to be approved, permitted, and/or completed between now and 2023 in order for Richmond to meet its RHNA.

Table 1: 2014-2022 RHNA and Progress

	New Construction Need		Units Built, Under Construction or Approved since 2014	Remaining Need
Income Category	Number	Percent		
Very Low	438	18.0%	164	274
Low	305	12.5%	437	(132)
Moderate	410	16.8%	0	410
Above Moderate	1,282	52.6%	291	991
Total	**2,435**	**100%**	**892**	**1,543**

Source: Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022

Inventory of Sites Available for Housing Development

Under State law, jurisdictions are required to demonstrate that they have an adequate supply of residentially zoned sites to accommodate their RHNA. Appendix C of the draft Housing Element Update contains a comprehensive list of vacant parcels in Richmond that are zoned for residential development, as well as maps identifying the location of each vacant parcel.

Richmond has an adequate amount of vacant residentially zoned sites to accommodate its remaining RHNA of 1,543 new housing units. As shown in Table 2, below, Richmond has approximately 228 acres of developable vacant land zoned for residential development within its city limits. These sites can accommodate a total of 1,912 new housing units based on a 60 to 80 percent build-out factor. Of the 1,912 potential residential units, 1,254 could be developed in single-family and multifamily zoning districts. Additionally, multifamily development is allowed in the C-1, C-2, C-3, C-B, and C-C commercial zoning districts. An additional 658 units could be developed in these commercial zones.

Table 2: Total Vacant Residential Sites					
Zoning District	Acres	Number of Parcels	Allowable Density (du/acre)	Maximum Unit Capacity	Realistic Unit Capacity
SFR-1, Single-Family Rural Residential	24.95	2	4.0	99	79
SFR-2, Single-Family Very Low Density Residential	147.43	37	7.3	1,069	855
SFR-3, Single-Family Low Density Residential	16.90	83	11.6	196	157
MFR-1, Multifamily Residential	7.2	36	26.4	190	152
MFR-3, Multifamily High Density Residential	0.25	2	54.5	13	11
C-1, Neighborhood Commercial	3.33	16	34.8	116	70
C-2, General Commercial	20.26	28	34.8	706	424
C-3, Regional Commercial	3.17	1	34.8	110	66
C-B, Central Business	2.61	16	34.8	91	55
C-C, Coastline Commercial	2.08	2	34.8	73	44
Total	**227.98**	**223**		**2,664**	**1,912**

Source: City of Richmond

The multi-family residential and commercial zoning districts have historically been developed at higher densities and with units affordable to lower income households, and thus are areas most likely to accommodate a substantial amount of Richmond's share of the regional housing need for lower income households. As shown in Table 3, below, approximately 65 vacant acres of land are zoned for high-density residential development. A total of 668 units can be accommodated on these high-density sites. This exceeds the remaining very low and low-income RHNA of 274 units.

Table 3: Accommodation of Remaining RHNA on Vacant Residential Sites				
Income Group	Remaining RHNA	Density	Vacant Acres	Units Accommodated on Vacant Parcels
Very Low	314	> 30 du/acre	31.70	668
Low	0			
Moderate	410	< 30 du/acre	196.28	1,243
Above Moderate	1,090			
Total	**1,814**		**227.98**	**1,912**

Source: City of Richmond, Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022

Summary of Key Housing Programs for 2015-2023

The Housing Element Update establishes specific programs intended to address Richmond's existing and projected housing needs. The programs are organized under four broad housing goals – achieving a balanced supply of housing; forming better neighborhoods and improving quality of life; expanding housing opportunities for special needs groups; and ensuring equal housing access for all. City agencies responsible for implementation, funding sources, implementation timeframes, and quantitative objectives are identified for each housing program. The programs were developed with input from the community and the City's Housing and Community Development Department, Housing Authority, City Manager's Office and Code Enforcement Division. Key programs under the four housing goal areas are summarized below.

Goal H-1: **A Balanced Supply of Housing:** Promote a balanced supply of housing types, densities and prices to meet the needs of all income groups residing or who want to reside in Richmond.

- Program H-1.3.1: Continue to implement the City's Inclusionary Housing Ordinance and consider revisions based on recent and pending court decisions and the policy objectives of the Housing Element. (HE page 97)

- Program H-1.3.2: Study other inclusionary housing ordinances in the Bay Area to learn about effective practices being used to provide affordable housing, especially housing for extremely low, very low, and low-income households. (HE page 97)

- Program H-1.3.3: Continue to monitor the effectiveness of the City's Inclusionary Housing Ordinance by including the following annual data as part of the Housing Element's Annual Progress Report. (HE page 98)

- Program H-1.3.4: Study existing community land trust (CLT) programs in California and determine whether it is feasible to establish a CLT program in Richmond as a way of providing permanently affordable housing. (HE page 98)

- Program H-1.3.5: Modify the City inclusionary housing ordinance to provide incentives for developers to build the required percentage of affordable housing units as part of developments projects, including considering bonuses or other incentive for housing developers that use local workforce labor. (HE page 99)

- Program H-1.4.1: As part of the Livable Corridors Form-Based Code Project currently underway, facilitate and provide incentives for mixed-use housing over retail development and a variety of other housing types and products such as duplexes, triplexes, large apartment buildings, second dwelling units, courtyard housing, live-work units, condominiums, cooperative housing, single-room occupancy units, retirement/assisted living communities, and manufactured or modular housing. (HE page 99)

- Program H-1.4.3: Increase the production of second dwelling units in Richmond by taking a number of actions such as reducing minimum lot size, open space, and parking requirements, and developing pre-approved architectural and building plans for use on typical lots. (HE page 99)

- Program H-1.4.3: identify alternative housing types, such as "tiny Housing" and compact lot development, study approaches successfully implemented in other jurisdictions, and amend zoning and development standards to accommodate these housing types consistent with community needs and character. (HE page 99)

- Program H-1.5.2: Expand the types of residential projects eligible for ministerial approval and administrative review as part of the comprehensive Zoning Ordinance update. (HE page 101)

Goal H-2: **Better Neighborhoods and Quality of Life:** Improve the quality of life for all residents and preserve and enhance Richmond's residential neighborhoods; specifically promote high quality living environments, address substandard conditions, preserve and modernize public housing, and conserve affordable housing at risk of converting to market rate.

- Program H-2.1.2: As part of the Richmond Livable Corridors Form-Based Code (FBC) for Macdonald Avenue, 23rd Street, and portions of San Pablo Avenue and the surrounding areas, establish design guidelines and development standards to ensure that near and long-term development and capital improvement projects substantially improve the quality of life for Richmond residents. (HE page 103)

- Program H-2.2.2: Study how other jurisdictions in California have expanded the scope and applicability of the statewide CALGreen Code. Consider establishing incentives such as fee deferrals and an expedited review process for projects exceeding CALGreen requirements. (HE page 105)

- Program H-2.3.1: Continue to systematically modernize Richmond's public housing developments by enhancing their visual appearance and energy efficiency. (HE page 105)

- Program H-2.4.1 and H-2.4.2: Establish an annual monitoring program for housing units at risk of converting to market rate and provide technical assistance to organizations interested in preserving subsidized affordable housing. (HE page 106)

- Program H-2.5.1: Provide comprehensive information and guidance on the City's website for residents facing foreclosure and those seeking assistance in areas such as home purchases, housing beautification, rehabilitation and seismic retrofits, energy conservation improvements, and locating special needs housing. (HE page 106)

- Program H-2.5.2: Partner with local nonprofit organizations to host a quarterly bilingual workshop to educate residents, landlords, property owners, and managers, about various local housing issues and available resources, and seek funding for community outreach workers to assist tenants at risk of losing their homes to foreclosure. (HE page 107)

- Program H-2.5.3: Continue to improve code enforcement and promote the registration of vacant and/or underutilized properties under the recently adopted Vacant Properties ordinance. Develop informational outreach materials for potential new registrants, and make available at the City and online. (HE page 93)

- Program H-2.5.6 and H-2.5.7: Continue to maintain an inventory of multi-story buildings with potential earthquake hazards and study soft-story building ordinances in California to learn about effective practices being used to incentivize the seismic retrofitting of hazardous multi-story buildings. (HE page 108)

- Program H-2.5.8: Continue to provide low-interest loans to low-income homes owners for home improvement project under the City's Home Improvement Loan Program. (HE page 109)

- Program H-2.5.11: Continue to provide matched no-interest loans to landlords to upgrade rental housing units for low-income tenants through the City's Rental Rehabilitation Loan Program. (HE page 109)

- Program H-2.5.11: Identify, acquire, rehabilitate, and sell dilapidated, abandoned, vacant, or foreclosed housing to stabilize neighborhoods and create opportunities for first-time home buyers. (HE pages 109-110)

- Program H-2.5.13 through H-2.5.15: Facilitate neighborhood improvement by continuing to fund and operate the City's Emergency Loan Program, Richmond Effort to Abate Lead (Project REAL), and Foreclosure Loan Program. (HE pages 109-110)

Goal H-3: **Expanded Housing Opportunities for Special Needs Groups:** Promote the expansion of housing opportunities for all special needs groups, including seniors, persons with disabilities, single-parent households, first-time homebuyers, large families, former prison inmates reentering the workforce, and homeless individuals and families.

- Program H-3.1.1: Provide incentives such as financial assistance, density bonuses, reduced parking requirements, and expedited review

for senior housing developments providing a percentage of their total units at rents or prices affordable to very low, low and moderate-income seniors. (HE page 112)

- Program H-3.2.1: Provide incentives for residential developments that make a percentage of their total units accessible to persons with disabilities. (HE page 112)

- Program H-3.2.3: Develop a reasonable accommodation ordinance to establish a formal process for reviewing and approving reasonable accommodation requests. (HE page 113)

- Program H-3.3.1: Identify potential incentives for development projects that make a commitment to provide on-site child daycare services for residents and workers. (HE page 113)

- Program H-3.4.1: Support and participate in the County's Mortgage Credit Certificate Tax Credit Program that assists first-time homebuyers and make information available to Richmond residents through the City's website. (HE page 114)

- Program H-3.5.1: Provide incentives such as financial assistance, density bonuses, and expedited review for residential developments that include affordable units with four or more bedrooms. (HE page 114)

- Program H-3-6.1: Participate in the Contra Costa HOME Consortium and the Contra Costa Interagency Council on Homelessness to identify and respond to the needs of homeless individuals and families in Richmond and surrounding communities. (HE page 115)

- Program H-3.6.2: Support nonprofit organizations seeking funding sources to establish and operate emergency shelters, transitional, and/or supportive housing (HE pages 115)

Goal H-4: **Equal Housing Access for All:** Strive to achieve equal housing access for all people regardless of race, religion, gender, marital status, age, ancestry, national origin, color, sexual orientation, familial status, source of income, or disability.

- Program H-4.1.1: Continue to administer the City's Section 8 Housing Choice Voucher Program and maximize the program's utilization. (HE page 116)

- Program H-4.2.1 and H-4.2.2: Continue to enforce Richmond's Just Cause for Eviction Ordinance and study other ordinances in California to evaluate whether to expand the City's ordinance. (HE pages 117)

- Program H-4.2.3: Study rent control ordinances in California and evaluate whether to adopt a similar ordinance in Richmond to stabilize rents and establish a rent control board. (HE page 117)

- Program H-4.2.4: Continue referring homeowners, tenants, and landlords to third-party organizations such as Bay Area Legal Aid and 211 Bay Area for assistance with issues such as foreclosures, landlord-tenant disputes, unlawful evictions, and housing discrimination. (HE page 117)

- Program H-4.4.2: Study of housing access in the City to determine if any discrimination is occurring and ensure equal access for all groups.

Public Comments

In April 2015, City staff and the consultant team held a stakeholder luncheon and two public workshops to gather input on the Housing Element Update. Approximately 150 people participated, including many representatives of community-based organizations, in these events. In general, participants acknowledged the City's ongoing success in providing affordable housing. They also expressed an increasing need to rehabilitate the City's aging housing stock and the need to conduct more aggressive code enforcement in blighted neighborhoods, especially those continuing to be affected by the foreclosure crisis. Many comments also centered on the issues of just cause for eviction and rent control, including differing opinions about its potential effects and need. HCD expressed positive feedback regarding this community engagement process. As of the writing of this report, only one comment letter had been received regarding the housing element update. The comments expressed the lack of data supporting the need for just cause for eviction and rental control in Richmond.

CONCLUSION:

The Housing Element Update meets all the statutory requirements and is eligible for State certification upon City Council adoption. It must be adopted by the City and certified by HCD by May 31, 2015 for Richmond to remain eligible for significant grant funding opportunities under Metropolitan Transportation Commission's One Bay Area Grant Program. City staff recommends that City Council adopt the Resolution in Attachment 1 adopting the Addendum to the Richmond General Plan 2030 EIR and amending the General Plan by adopting the draft 5th Cycle Housing Element Update.

DOCUMENTS ATTACHED:

1. Draft Resolution Adopting the Addendum to the General Plan 2030 EIR and Amending the General Plan by Adopting the 5th Cycle Housing Element Update
2. Final Draft Richmond Housing Element Update*
3. Addendum to the Richmond General Plan 2030 EIR
4. HCD Pre-Certification Letter – dated May 2015

*Due to the size of the document, hardcopies of the Final Draft Richmond Housing Element Update are not being provided as part of this Agenda Report. An electronic version of the document may be downloaded at the City's Housing Element webpage (www.ci.richmond.ca.us/housingupdate). A hardcopy of the document is available for review at the Planning and Building Services Department's public counter (City Hall, 450 Civic Center Plaza – 2nd Floor) and at the Richmond Main Library – 325 Civic Center Plaza.

ATTACHMENT 1

RESOLUTION NO. __

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND ADOPTING THE ADDENDUM TO THE RICHMOND GENERAL PLAN 2030 ENVIRONMENTAL IMPACT REPORT (SCH#2008022018) AND THE RICHMOND GENERAL PLAN HOUSING ELEMENT UPDATE FOR THE CURRENT 2015-2023 PLANNING PERIOD

WHEREAS, California Government Code Section 65300 requires each city and county to adopt a comprehensive, long-term general plan for the physical development of the county and/or city, and any land outside its boundaries which bears relation to its planning; and

WHEREAS, California Government Code Section 65302 lists the housing element as one of the seven general plan elements mandated by the State of California; and

WHEREAS, California Government Code Section 65588 requires cities and counties to update their general plan housing elements every five years; and

WHEREAS, California Government Code Section 65585 requires the California Department of Housing and Community Development (the "State") to review and prepare findings regarding the city or county's housing element and its compliance with detailed statutory requirements; and

WHEREAS, in January 2013, the City Council (the "Council") of the City of Richmond (the "City") adopted and the State certified the Richmond Housing Element Update for the previous 2007-2014 planning period; and

WHEREAS, the City began preparing the Richmond 5th Cycle Housing Element Update for the current 2015-2023 planning period (the "proposed Richmond Housing Element Update"); and

WHEREAS, in April 2014, the City released a draft of the proposed Richmond Housing Element Update for public review and comment and subsequent revised drafts were released in May; and

WHEREAS, in accordance with the statutory requirements set forth in California Government Code Sections 65583 through 65590, the proposed Richmond Housing Element Update contains an assessment of existing and projected housing needs, an inventory of sites available for housing development, an analysis of constraints to local housing production, and a set of specific housing programs designed to meet identified housing needs; and

WHEREAS, the proposed Richmond Housing Element Update meets all of the applicable guidelines set forth in the State of California General Plan Guidelines published by the Governor's Office of Planning and Research; and

WHEREAS, the proposed Richmond Housing Element Update is subject to the requirements of the California Environmental Quality Act, as amended (Public Resources Code Sections 21000-21178), and the California Environmental Quality Act Guidelines (California Code of Regulations Title 14, Chapter 3) (collectively, "CEQA"); and

WHEREAS, on April 24, 2012, the Council adopted the CEQA Findings of Fact, Statement of Significance, and Mitigation Monitoring and Reporting Program, and certified the Environmental Impact Report, for the Richmond General Plan 2030 (SCH#2008022018) (the "Richmond General Plan 2030 EIR"); and

WHEREAS, on April 24, 2012, the Council adopted the Richmond General Plan 2030 document; and

WHEREAS, the proposed Richmond Housing Element Update is considered an amendment to the Richmond General Plan 2030; and

WHEREAS, pursuant to CEQA Guidelines Section 15164, the City has prepared a proposed addendum affirming that the analysis contained in the Richmond General Plan 2030 EIR adequately addresses the potential physical impacts associated with implementation of the proposed Richmond Housing Element Update (the "proposed Addendum"); and

WHEREAS, the proposed Addendum demonstrates that none of the conditions described in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR or negative declaration have occurred; and

WHEREAS, on May 7, 2015, the Planning Commission (the "Commission") held a public hearing to consider recommending adoption of the proposed Addendum and the proposed Richmond Housing Element Update; and

WHEREAS, the Commission adopted Planning Commission Resolution No. 15-17 recommending Council adoption of the proposed Addendum and the proposed Richmond Housing Element Update with certain edits; and

WHEREAS, on May 19, 2015, the Council held a public hearing to consider adoption of the proposed Addendum and the proposed Richmond Housing Element Update, including the Commission's recommended amendments.

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby find that the above recitals are true and correct and have served, together with the Agenda Report dated May 19, 2015 as the basis for the findings and actions set forth in this Resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council does hereby adopt the proposed Addendum to the Richmond General Plan 2030 EIR attached to the Agenda Report dated May 19, 2015; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council does hereby adopt the proposed Richmond Housing Element Update attached to the Agenda Report dated May 19, 2015.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council does hereby direct staff to submit the adopted Richmond Housing Element Update to the State for certification.

I CERTIFY, that the foregoing Resolution was adopted by the City Council of the City of Richmond, California at a regular meeting held on May 19, 2015, by the following vote:

AYES:

NOES:

ABSTENTIONS:

_____
PAM CHRISTIAN
CLERK OF THE CITY OF RICHMOND

Approved:

_____
THOMAS K. BUTT
MAYOR OF THE CITY OF RICHMOND

Approved as to form:

_____
BRUCE R. GOODMILLER
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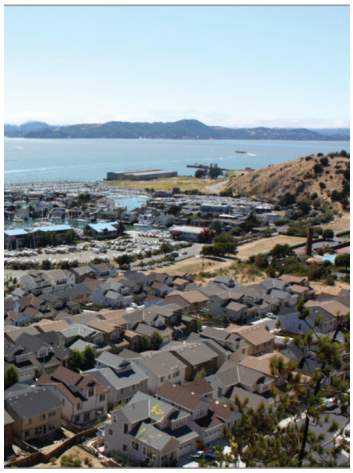

CITY OF RICHMOND GENERAL PLAN 2030

5TH CYCLE HOUSING ELEMENT UPDATE (2015-2023)

PUBLIC HEARING DRAFT, MAY 2015

450 Civic Center Plaza, Richmond, CA 94804 | www.ci.richmond.ca.us/planning

#H-2.

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Introduction

The State of California has declared that "the availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every California family is a priority of the highest order." (State Government Code §65580) Accommodating the housing needs of the State of California is an important goal for the City of Richmond, regional agencies and State agencies. As California's population continues to grow and pressure on resources increases, Richmond continues to be concerned with providing adequate housing opportunities while maintaining a high standard of living for all residents in the community.

The ethnic and cultural diversity of Richmond residents is a major asset. The City continues to be one of Contra Costa County's most diverse communities, with 39.5 percent of 2010 residents Latino, 25.9 percent African American, and 13.3 percent Asian. Almost one-third of the community is foreign born.

With the adoption of the Richmond General Plan 2030, the City has established a well-defined long-term plan to address the physical, economic, cultural and social needs of people of all physical abilities, social strata and income levels. Richmond aims to be an inclusive city where the built environment is functional and accessible to all residents, development impacts are shared equitably, and new development is sensitive to a diverse array of social, cultural and environmental contexts. The City values safe housing and neighborhoods with a range of housing types and price levels to accommodate diverse socioeconomic backgrounds and lifestyle choices, and promotes policies to restore its traditional compact neighborhoods.

Role of the Housing Element

The State of California recognizes the vital role local governments play in the availability, adequacy and affordability of housing. As such, State law requires every jurisdiction in California to adopt a comprehensive, long-term General Plan to guide its physical development; the Housing Element is one of the seven mandated elements of the General Plan. Housing Element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law recognizes that in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, State housing policy rests largely upon the effective implementation of local General Plans and in particular, local Housing Elements. State law also requires the California State Department of Housing and Community Development (State HCD) to review local housing elements for compliance and to report its findings to the local government.

Further, California's Housing Element law requires that each city and county develop local housing programs to meet its "fair share" of existing and future housing needs for all income groups. The Association of Bay Area Governments (ABAG) is responsible for developing and assigning these regional needs, or "RHNA," to Bay Area jurisdictions. Consistent with the current RHNA planning period, the Richmond Housing Element is an eight-year plan extending from January 31, 2015 to January 31, 2023. Further, State of California Government Code §65583(a)(7) requires "An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs." The Housing Element must include the following:

- An analysis of population and employment trends;
- An analysis of the City's fair share of the regional housing needs;
- An analysis of household characteristics;

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- An inventory of suitable land for residential development;
- An analysis of governmental and non-governmental constraints on the improvement, maintenance and development of housing;
- An analysis of special housing needs;
- An analysis of opportunities for energy conservation; and
- An analysis of publicly assisted housing developments that may convert to non-assisted housing developments (at-risk housing).

The purpose of these requirements is to develop an understanding of the existing and projected housing needs within the community and to set forth policies that promote preservation, improvement and development of diverse types and costs of housing throughout Richmond.

This Housing Element Update covers the ABAG's RHNA projection period for 2014-2022, or the 2014-2022 RHNA, and was prepared in compliance with State General Plan law pertaining to Housing Elements. It is necessary to clarify that the 2014-2022 RHNA covers the ABAG planning period from January 31, 2015 to January 31, 2023. Per the State HCD, this document is therefore identified as the 2015-2023 Housing Element while the 2014-2022 RHNA is consistent with ABAG's terminology.

Public Participation

According to State of California Government Code §65583(c), local jurisdictions must "make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." Active community participation throughout the update process contributes to a Housing Element that is a more thorough and accurate representation of the City's needs and desired actions. Public input has played an important role in the formulation of this Housing Element.

As the Housing Element is an update to the previous Housing Element adopted in 2013, outreach conducted through the Richmond General Plan 2030 planning process formed the basis for many of the Goals, Policies and Programs that remain in the updated Housing Element. A new outreach effort was conducted to review the City's progress in meeting the objectives of the previous Housing Element, and to identify and address areas for improvement. Outreach from two community workshops, one stakeholder luncheon, and two public hearings have provided input on the previous Housing Element and housing issues in general, and has been incorporated into the 2015-2023 Housing Element Update, as described below.

Outreach through Preparation of the Richmond General Plan 2030

The 2007-2014 Housing Element was developed in tandem with the comprehensive update to Richmond's General Plan. Outreach was conducted through the overall General Plan Update process to identify key housing needs, challenges and successes and to craft a vision for the role of housing access and affordability in the coming years. Based on input from HCD, additional outreach specific to the 2007-2014 Housing Element was conducted, with final adoption occurring in January of 2013. The following events and forums were conducted for the development of the Housing Element as part of the preparation of the Richmond General Plan 2030. All meetings included robust noticing through mailings, local neighborhood announcements, leaflets and newspaper advertisements, as well as postings on the City's website. Bilingual services were also made available at the meetings.

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- Workshops, in the form of "town hall" style meetings and interactive land use alternative charrettes. In total, over 2,000 community members participated in one or more of 14 workshops.
- Focus Groups comprised of advocates, experts and leaders appropriate to a series of focus areas, one of which centered on affordable housing and real estate development, and provided information and direction on how to address housing issues in Richmond.
- The "Plan Van," or a "rolling workshop" aimed at broadening interest and participation in the General Plan Update process, which took General Plan Update to Richmond's residents and neighborhoods, either alongside special events or on weekend afternoons in prominent public locations, where participants engaged in a map exercise, identifying locations where they desired specific changes
- The General Plan project website (www.cityofrichmondgeneralplan.org), which served as a one-stop clearinghouse for information about the update. The website included a document library with up-to-date General Plan Update documents and resources as well as a comment form that generated over 100 questions and suggestions.
- Written input, via several emails and letters which were reviewed, recorded, and taken into account when developing the Housing Element.
- A Planning Commission Meeting, which provided an opportunity to receive initial public feedback and preliminary comments from the Planning Commission on the draft Housing Element.

Additional Housing Element Outreach after Adoption of the Richmond General Plan 2030

In December 2010, the City submitted the Draft Housing Element for review by the State HCD, and in February 2011, the State HCD submitted comments on the document. After the City adopted the General Plan 2030 on April 24, 2012, the City began making further revisions to the Housing Element, incorporating State HCD feedback and soliciting further public participation. The City and its consultant team held stakeholder interviews and conducted two public workshops in order to continue to gather input for the Revised Draft Housing Element. These meetings and interviews are discussed below.

Stakeholder Interviews

The City invited more than 60 key stakeholders to participate in interview sessions. On May 30, 2012, the City conducted 15 stakeholder interviews with 18 people. These sessions provided an opportunity for stakeholders to provide input on a one-on-one basis. Interviews were conducted in person or on the telephone.

The following ideas and opportunities were identified and discussed during the interviews:

- Increase housing rehabilitation and maintenance
- Revisit inclusionary housing ordinance/in-lieu fees
- Streamline permitting process
- Conduct outreach to improve public awareness and deflect unrealistic expectations
- Develop limited equity housing cooperatives
- Establish a Community Land Trust
- Consider rent control
- Discuss underutilized opportunity sites and different housing types in mixed-use and transit-oriented settings

- Address environmental issues
- Address foreclosed properties

The following obstacles were identified and discussed during the interviews:

- Lack of funding and resources
- Issues with the permitting process and procedures
- Perception that City leadership is resistant to change
- Negative public perception that City deters new development

Public Workshops

The City conducted two additional public workshops to solicit input for the 2007-2014 Housing Element Update. The meetings included discussion regarding Housing Element requirements, the update process, and areas requiring further attention. All meetings were open to the public and provided opportunity for questions and comments. Translation services were provided for Spanish-speaking participants.

Notification for the two public workshops was advertised in the West County Times newspaper. Project information and links were published on the City's Housing Element webpage and the workshop dates were listed on the Planning Division's Event Calendar online. In addition, the workshops were advertised twice in the City Manager's Weekly Report, during programming breaks on KCRT Cable Television, and through weekly e-mail event invites. Event invites were e-mailed three weeks prior to the first workshop and followed up with reminder emails.

Public Workshop II – June 28, 2012

The workshop was designed to solicit input from community members through coordinated participation in group activities. It also included a presentation on the status of the Housing Element, as well as an overview of current data and information on demographic trends, a preliminary sites analysis, and a review of existing housing programs and initiatives. Seventeen stakeholders participated in the session, including representatives of Contra Costa County Mental Health Commission, North & East Neighborhood Council, Community Housing Development Corporation (CHDC), the City's Design Review Board, Urban Habitat, Richmond Equitable Development Initiative (REDI), California Apartment Association, Alliance of Californians for Community Empowerment (ACCE), Richmond Police Department, Richmond Progressive Alliance (RPA), and Richmond Annex Neighborhood Council (RANC).

The workshop discussion focused on the following:

- Establishment of a Community Land Trust, including properties with collective ownership.
- Requirement for the development of on-site affordable units through the inclusionary housing ordinance (and discouraged use of in-lieu fee option).
- Identification of solutions for homelessness beyond shelters, renter protection, and tenant-landlord conflict resolution through the establishment of a rent board.
- Regulation of foreclosures by State Attorney General and/or district attorney.
- Status of AB 2447, establishing the California Neighborhood Revitalization Partnership of 2012.
- Expansion of the rental properties inspection program, which currently applies to multifamily housing with more than three units.

Foreclosures were also identified as a cause for concern, particularly the number of outside investors purchasing foreclosed properties.

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In addition to presentations and open community discussion, two exercises were developed to understand community goals and perceptions of potential opportunity sites to accommodate housing needs. The first exercise—the desired outcomes exercise—asked participants to write down an ideal outcome of the Housing Element, either relating to specific Housing Element programs or related to community improvements in a broader sense. The majority of the responses fell into the following categories:

- Provide adequate affordable housing for all income levels and for both rental and ownership residences
- Establish a Community Land Trust
- Support housing rehabilitation
- Expand the rental properties inspection program

Other suggestions included provision of disabled housing, access to healthy food and daily services, walkable and complete neighborhoods, and adequate use of in-lieu fees.

The second exercise was a mapping exercise that asked participants to identify areas within the community that could accommodate Richmond's housing needs, or that required attention in the Housing Element. Maps labeled with housing inventory sites were placed throughout the room. The participants were asked to point out sites not already identified on the maps and that were:

- Vacant sites, appropriate for new housing development
- Opportunity sites, appropriate for redevelopment
- Rehabilitation sites, areas with housing in need of rehabilitation

Public Workshop III – August 9, 2012

The third and final public workshop was designed as an in-depth round table discussion on seven recurring issue areas. Eight stakeholders participated in the session, including representatives of Lao Family Community, Contra Costa Health Commission, California Apartment Association, ACCE, Virtual Development Company and BWOPA. The seven issue areas discussed were as follows:

- Foreclosed properties
- Community Land Trust
- Just Cause
- Fair Rent/Rent Control
- Inclusionary Ordinance and In-Lieu Fee
- Affordable Housing Incentives
- Rental Rehabilitation

The discussion for each of these topics included potential recommendations for Housing Element actions.

Outreach for the 2015-2023 Housing Element Update

Outreach for the 5th Cycle, 2015-2023 Housing Element Update provided a constructive assessment of the near-term progress of the Housing Element and its implementation since adoption in January 2013. Outreach came in multiple forms, including two public workshops, a stakeholder luncheon, public hearings, as well as input via comment cards and digital communication with City staff. The City hosted a webpage devoted to the Housing Element update (www.ci.richmond.ca.us/housingupdate), which contained links to relevant documents and resources, including input from previous events, information on upcoming events, and project contacts.

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Outreach for all meetings built upon well-established outreach channels recently established during the 2007-2014 Housing Element, which aimed to solicit participation at all segments of Richmond's population, including any and all interested citizens, housing advocates, non-profit affordable housing developers and the residential development community, organizations representing special needs groups such as the elderly, homeless, and disabled. Noticing was conducted through well-established outreach channels via email, flyer postings, city listserv and the City's website, as well as targeted outreach to stakeholder groups and community representatives. Project information and links were published on the City's Housing Element webpage. In addition, the workshops were advertised twice in the City Manager's Weekly Report, during programming breaks on KCRT Cable Television, and through weekly e-mail event invites.

Noticing and outreach materials for the meetings were sent to directors and staff at organizations representing a cross section of needs and interests in the community, including:

- Contra Costa Health Services
- Community Energy Services Corp.
- Contra Costa County Department of Conservation and Development
- Contra Costa Health Services
- Richmond Neighborhood Coordinating Council
- Commission on Aging
- Community Development Commission
- Economic Development Commission
- Housing Advisory Commission
- Association of Bay Area Governments
- California Apartment Association
- Council of Industries
- Richmond Main Street Initiative
- CHDC of North Richmond
- California Infill Builders Association
- Non-Profit Housing Association of Northern California
- Bay Area Council
- Bay Area LISC
- Richmond Community Foundation
- Rubicon
- Bay Area Rescue Mission
- Eden Housing
- Bridge Housing
- Contra Costa County Homeless Program
- Healthy Richmond
- West County HEAL

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Stakeholder Luncheon

A stakeholder luncheon was held on April 2, 2015 to review the Housing Element Update, and receive targeted feedback from a balanced mix of residents, including homeowners and renters, and business owners and developers. The meeting also included a focused discussion on the potential for amendments to the City's Just-Cause for Eviction Ordinance, and covered other tenant protections such as rent control. Approximately 60 persons were in attendance, representing property owners and managers, developers, tenants, as well as representatives from the HAAS institute, Contra Costa Senior Legal Services, Richmond Community Foundation, Alliance of Californians for Community Empowerment, Richmond Progressive Alliance, Richmond Safe Return Project, California Apartment Association, Community Housing Development Corporation of North Richmond (CHDC), and Bay Area Rescue Mission. As evidenced by the input from the meeting described below, a variety of perspectives provided a balanced view on a host of housing issues in the City.

Specific topics covered at the Stakeholder Luncheon included the Housing Element's programs, needs, obstacles, development examples, as concerns with and potential revisions to the City's Just Cause for Eviction Ordinance. Input on the Housing Element from the Luncheon and comment cards included:

- More education and outreach and better communication to residents of current housing programs is needed
- Additional resources are needed for tenants seeking affordable housing, including:
    - Access and development of more housing
    - Rent control
    - Rent assistance
    - Removal of barriers (see below)
- There should be prohibition of discriminating against renters, particular for low-income and criminally convicted residents
- There are differing opinions regarding Just Cause, reflecting the need for clear policy. Some opinions include:
    - Better and clearer information regarding the drivers of evictions and displacement is needed to inform Just Cause policy
    - Just Cause would require extra steps to prove unlawful use and may deter investments in housing in Richmond
    - Just Cause is a valid and necessary, and requires a valid reason for eviction that protects tenants from landlords

Community Workshops

Two Community Workshops were held in succession on April 9th and April 14th of 2015 to obtain public feedback on the Housing Element Update. All meetings were open to the public and facilitated informed discussion and provided for City staff and consultants to answer questions from participants. Translation services were provided for Spanish-speaking participants. Approximately 40 people attended the April 9th workshop, and approximately 50 people attended the workshop on April 14th. Many participated in both meetings, and attendees included a cross section of ages and ethnicities, representing tenants, neighborhood groups, property owners, landlords, community residents, and other interested parties.- Digital versions of the workshop presentations and summaries of the input received were provided on the City's Housing Element webpage, and allowed for additional input to, and clarification from City staff.

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Community Workshop I and Feedback – April 9, 2015

A Community Workshop was held on April 9, 2015 to introduce and review the Housing Element Update process to the community, and obtain input on the current Housing Element goals, policies and programs. The workshop included a breakout session centered on each of the 4 goals in the Housing Element, with group discussion on how well the programs are addressing the community's needs. The meeting also included a presentation and discussion on the potential for amendments to the City's Just-Cause for Eviction Ordinance. The input received included:

- Provide balanced neighborhoods and de-concentrate poverty
- Ensure housing access for all groups
    - Determine if discrimination is occurring
- Use development/impact fees to develop affordable housing
- Proactively seek funding for improvement programs
- Preserve & enhance Richmond's unique neighborhoods
- Provide more information and resources for residents & property owners/managers
- Improve blighted conditions through enforcement & incentives
- Transitional housing and re-entry support is a critical need
- Provide special assistance and outreach for elderly and disabled to ensure fair treatment
- Eviction protection is needed for both tenants and property owners
- Rent control is needed, especially for those with special needs
- Increased education, outreach, and transparency is needed for all groups

Community Workshop II and Feedback – April 14, 2015

A follow up Community Workshop was held on April 14, 2015 to build on the previous workshop, present more detailed information on the Housing Element and housing needs in the City, and confirm input received to date and suggested refinements and additions to programs for the 2014-22 Update. The workshop included a presentation on the Housing Element Update Process, including a review of the updated housing needs assessment and the City's Zoning Ordinance amendments to comply with SB 2 (a program in the previous Housing Element). The presentation was followed by a discussion to provide feedback on revisions to specific programs and other issues to address in the Update. The meeting also included a follow-up presentation and discussion on the potential for amendments to the City's Just-Cause for Eviction Ordinance.

Generally, participants confirmed input from the previous workshop on April 9th, and supported suggested revisions to the Housing Element's goals, policies and programs. Input received at the second workshop included:

- The City needs to address concern over the concentration of certain housing, specifically transitional and supportive housing and emergency shelters while maintaining compliance with State law
- Clarify the economic factors contributing to the development of housing and specifically, affordable housing
- Consider the appropriateness for City-provided funding for affordable housing given current economic conditions
- Consider incentives for developers paying prevailing wages, as well as local- or Richmond Corridor-

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based contractors

- More information and review is needed as the City reviews it's Just Cause for Eviction policy, and programs in the Housing Element should accommodate the concerns of both tenants and landlords.
    - Other tenant protections should be considered in conjunction with Just Cause, particularly rent control

Comment Cards

Comment cards were distributed at each meeting and made available via the City's website. Overall approximately 16 comment cards were received. Input from comment cards covered a variety of topics, and included:

- consideration by the city to grant a 'super density' bonus to developers that agree to pay prevailing wages and use local apprentices for construction workers;
- concern about escalating rents and potential for displacement of existing residents;
- consideration of teachers as a special needs groups;
- concerns about expanding just-cause on housing production, vacancy rates;
- concern about the condition of housing in Richmond; and,
- need to address re-entry population in housing policies

Public Hearings

The Housing Element Update was presented and action taken at two public hearings of the Planning Commission and City Council. The Public Review Draft Housing Element Update was an agenda item and open for public comment. Input received at the public meetings are presented in Appendix G.

Relationship to Other General Plan Elements

State of California Government Code §65300.5 requires that "...the general plan and elements and parts thereof comprise an integrated, internally consistent, and compatible statement of policies..." The purpose of requiring internal consistency is to avoid policy conflict and provide a clear policy guide for the future maintenance, improvement and development of housing within the City.

As part of the update of the Housing Element, the other Elements of the Richmond General Plan 2030 were reviewed to ensure consistency with the policies set forth in those elements. The City will maintain consistency between the Housing Element and the other General Plan elements so that policies introduced in one element are consistent with other elements. Whenever any element of the General Plan is amended in the future, the Housing Element will be reviewed and modified, if necessary, to ensure continued consistency among elements.

Organization

The Housing Element is organized into the following sections:

- **Community Profile** presents the current population, employment, household and housing trends in the City.
- **Housing Needs** details the existing housing needs of the City including special needs groups and their housing needs and the Association of Bay Area Governments (ABAG) Regional Housing Needs Determination (RHND) for the City.

- **Housing Constraints** includes an assessment of the various government and non-government constraints that may serve as a potential constraint to housing development and improvement in Richmond. It discusses potential city constraints to housing for persons with disabilities and reviews City efforts to remove constraints.
- **Housing Resources and Opportunities** presents an inventory of residential sites, and evaluates the availability of land resources for future housing development. It includes an analysis of potential development constraints of the sites identified for availability for residential development and examines opportunities for energy conservation.
- **Review of Previous Housing Element Performance** presents an analysis of the previous housing element and its effectiveness.
- **Housing Goals, Policies and Actions** represents the commitment of the City of Richmond to address the housing needs of the community, comply with state and federal housing requirements, and to implement the vision of the Richmond General Plan 2030.

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Community Profile

This section of the Housing Element presents demographic and socioeconomic data such as population, household characteristics, housing stock conditions, and employment. Analysis of these demographic, housing and employment characteristics provides the background to adequately determine Richmond's present and future housing needs.

Population

Demographic changes such as population growth or changes in age can affect the type and amount of housing that is needed in a community. This section addresses population, age, race and ethnicity, educational attainment, and employment of Richmond residents.

Population Growth

Table 5.1 compares population growth between Richmond and Contra Costa County. Although Richmond has grown at a slower rate than the County as a whole over the last decade, Richmond is expected grow at a faster pace than the County over the next two decades. In 2000, Richmond's population was 99,216. Between 2000 and 2010, Richmond grew at an average annual rate of 0.4 percent while the County grew at an average annual rate of 1.0 percent. As of 2010, Richmond's population was 103,701. Between 2010 and 2030, Richmond is expected to grow at an average annual rate of 1.2 percent compared to an annual growth rate of 1.0 percent for the County. By 2030, Richmond's total population is expected to reach 132,600.

Age Distribution

Housing need is often affected by the age characteristics of residents in the community. Different age groups have different lifestyles, income levels, and family types that influence housing needs. These housing choices evolve over time, and it is important to examine the changes in the age distribution of Richmond residents in order to identify potential impacts on housing needs.

Table 5.2 compares Richmond's age distribution between 2000 and 2010 compared to Contra Costa County in 2010. Richmond's population is steadily aging. Between 2000 and 2010 Richmond's median age increased from 32.8 to 34.8. Adults age 45 to 64 experienced the greatest change of all age groups, increasing from 21.2 percent of Richmond's population in 2000 to 25.2 percent in 2010, a 24 percent increase. In contrast, children age 5 to 17 decreased from 20 percent of Richmond's population to 17.5 percent during the same period. However, compared to Contra Costa County, Richmond's population in general is younger. Approximately 40 percent of Contra Costa County's population is over 45 years old, compared to only 35 percent of Richmond's population.

Racial and Ethnic Composition

Table 5.3 compares Richmond's racial and ethnic makeup in 2000 and 2010. Richmond continues to be one of Contra Costa County's most diverse communities with increasingly large Latino and Asian populations. In 2000, African Americans accounted for 35.6 percent of Richmond residents while Latinos, Non-Hispanic Whites and Asians accounted for 26.5, 21.2 and 12.2 percent respectively. In 2010, 39.5 percent of Richmond's residents were Latino, 25.9 percent were African American, 17.1 percent were Non-Hispanic White and 13.3 percent were Asian.

Table 5.4 compares Richmond's foreign-born population in 2000 and 2013 estimates. Between 2000 and 2013, Richmond's foreign-born population grew by 33.5 percent to 32,388 (32.7 percent of Richmond's total population). **Table 5.4** also identifies the number of households in Richmond that are linguistically isolated. The U.S. Census Bureau defines linguistically isolated households as households where no member over

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14 years of age speaks English "very well." In 2000, 9.2 percent of Richmond's households were linguistically isolated. Recent immigrants and linguistically isolated households may face greater difficulties in gaining meaningful employment and acquiring adequate housing as they adjust to their new surroundings. As a result, household problems such as overcrowding and overpayment may be more likely.

Table 5.1
Population Growth

Jurisdiction	2000	2010	2030	Annual Growth Rate 2000-2010	Annual Growth Rate 2010-2030
Richmond	99,216	103,701	132,600	0.4%	1.2%
Contra Costa	948,816	1,049,025	1,273,700	1.0%	1.0%

Source: U.S. Census Bureau, 2000 and 2010 Census; Association of Bay Area Governments (ABAG) "Projections 2009: Building Momentum."

Table 5.2
Age Distribution

	Richmond 2000		Richmond 2010		Contra Costa County 2010	
Age Group	Number	% of Total	Number	% of Total	Number	% of Total
Preschool (under 5)	7,669	7.7%	7,679	7.4%	67,018	6.4%
School Age (5-17)	19,825	20.0%	18,121	17.5%	193,487	18.4%
College Age (18-24)	9,790	9.9%	10,364	10.0%	86,951	8.3%
Adults (25-44)	31,118	31.4%	30,846	29.7%	278,293	26.5%
Middle Age (45-64)	21,008	21.2%	26,109	25.2%	292,838	27.9%
Senior (65+)	9,806	9.9%	10,582	10.2%	130,438	12.4%
Total	99,216		103,701		1,049,025	
Median Age	32.8		34.8		38.5	

Source: U.S. Census Bureau, 2000 and 2010 Census.

Table 5.3
Racial Composition

	Richmond 2000		Richmond 2010		Contra Costa 2010	
Race	Number	% of Total	Number	% of Total	Number	% of Total
Hispanic or Latino	26,319	26.5%	40,921	39.5%	255,560	24.4%
Non-Hispanic White	21,081	21.2%	17,769	17.1%	500,923	47.8%
Black or African American	35,279	35.6%	26,872	25.9%	93,604	8.9%
American Indian	351	0.4%	250	0.2%	2,984	0.3%
Asian	12,077	12.2%	13,783	13.3%	148,881	14.2%
Hawaiian and Pacific Islander	476	0.5%	462	0.4%	4,382	0.4%
Other Race	400	0.4%	585	0.6%	3,122	0.3%
Two or More Races	3,233	3.3%	3,059	2.9%	39,569	3.8%
Total	99,216		103,701		1,049,025	

Source: U.S. Census Bureau, 2000 and 2010 Census.

Table 5.4
Foreign Born and Linguistically Isolated

Place of Birth/ Linguistic Isolation	Richmond 2000		Richmond 2009-2013 Estimates		Contra Costa 2009-2013 Estimates	
	Number	% of Total	Number	% of Total	Number	% of Total
Native to U.S.	73,965	74.2%	70,892	67.3%	814,858	76%
Foreign Born	25,751	25.8%	34,388	32.7%	250,936	24%
Total	99,716		105,280		1,065,794	
Linguistically Isolated[a]	3,186	9.2%				
Not Linguistically Isolated	31,566	90.8%				
Total Households	34,752					

a. The Census Bureau defines linguistically isolated as households where no member over 14 years of age speaks English "very well."

Source: U.S. Census Bureau, 2000 Census and 2009-2013 American Community Survey.

Education and Employment

A person's level of education greatly influences her or his future income and in turn affects the type of housing that person can afford. Evaluation of the types of jobs held by community residents provides insight into potential earning power and the segment of the housing market into which they fall. Information on how a community's employment base is growing and changing can help identify potential housing demand changes in the future.

Educational Attainment

Table 5.5 compares the level of educational attainment for Richmond residents. Current estimates suggest that a considerable percentage of Richmond residents continue to have less than a high school level of education. It is estimated that between 2000 and 2013, the percentage of Richmond residents 25 years and older with less than a high school diploma decreased slightly from 24.7 to 22.6 percent. Although the decrease suggests some improvement, the percentage of Richmond residents 25 years and older with less than a high school level of education is estimated to be 11.4 percent points higher than Contra Costa County.

Employment

Table 5.6 compares employment for Richmond residents in 2000 and 2013. Estimates indicate most Richmond residents continue to be employed in lower wage sectors such as the service, and production and transportation sectors. The proportion of Richmond residents employed in these sectors between 2000 and 2013 is estimated to have increased from 31.5 to 36.5 percent. During the same period, Richmond residents employed in the higher wage managerial and professional sector decreased from 33 to 30.6 percent.
Table 5.7 identifies the principal employers in Richmond by number of employees. The principal employers in Richmond are Chevron Refinery, West Contra Costa Unified School District, Social Security Administration, U.S. Postal Service, and Contra Costa County.

Unemployment

Table 5.8 compares the unemployment rates for Richmond and the County between 2000 and November 2014. Although unemployment rates have remained high at both the local and national level since the start of the economic recession in 2007, Richmond's unemployment rate has been historically higher than the County rate. Between 2007 and 2014, Richmond's unemployment rate rose to 14.5 percent before dropping 9.4 percent. During the same time frame, the County's unemployment rate increased from 4.7 to 5.7 percent. Richmond's unemployment rate has ranged between 2.5 and 6.7 percent higher than the County's rate of unemployment for over a decade.

Job Growth

Table 5.9 compares job growth in Richmond and the County. Prior to the economic recession of 2007, the number of jobs in Richmond was growing at a faster pace than in the County overall. Between 2000 and 2005, Richmond is estimated to have added 1,800 jobs. This accounts for 23.3 percent of the estimated 7,720 total jobs added by the County during the same period. This trend is projected to reemerge as the local and national economy recovers. Between 2010 and 2030, Richmond is projected to add 23,460 jobs, which will represent 16.7 percent of total jobs projected to be added by the County as a whole. The jobs projected to be added countywide are expected to be primarily in health and educational services (25.4 percent), professional and managerial services (14.8 percent) and retail (12.0 percent).

Table 5.5
Educational Attainment

Education Level (Population 25 years and over)	Richmond 2000		Richmond 2009-2013 Estimates		Contra Costa County 2009-2013 Estimates	
	Number	% of Total	Number	% of Total	Number	% of Total
Less than 9th grade	6,995	11.2%	8,200	11.9%	40,791	5.7%
9th to 12th grade, no diploma	8,451	13.5%	7,373	10.7%	39,360	5.5%
High school graduate	13,672	21.8%	14,953	21.7%	137,401	19.2%
Some college, no degree	15,274	24.4%	15,022	21.8%	160,301	22.4%
Associate degree	4,252	6.8%	5,306	7.7%	57,966	8.1%
Bachelor's degree	8,845	14.1%	11,576	16.8%	178,907	25.0%
Graduate or professional degree	5,173	8.3%	6,477	9.4%	100,904	14.1%
Total	62,662		68,906		715,628	

Source: U.S. Census Bureau, 2000 Census and 2009-2013 American Community Survey.

Table 5.6
Employment by Industry

Occupation	Richmond 2000		Richmond 2009-2013 Estimates		Contra Costa County 2009-2013 Estimates	
	Number	% of Total	Number	% of Total	Number	% of Total
Managerial/Professional	14,088	32.9%	14,578	30.6%	207,738	42.3%
Sales and Office	11,296	26.4%	10,317	21.7%	118,882	24.2%
Service	7,748	18.1%	11,965	25.2%	87,304	17.8%
Production/Transportation	5,690	13.3%	5,394	11.3%	37,421	7.6%
Construction/Maintenance	3,857	9.0%	5,319	11.2%	39,816	8.1%
Farming, Fishing, and Forestry	90	0.2%	n/a	n/a	n/a	n/a
Total Employed Residents	42,769		47,573		491,161	

Source: U.S. Census Bureau, 2000 Census and 2009-2013 American Community Survey.

Table 5.7
Principal Employers (2012 – 2013)

Ranking	Richmond Employer	Employees	% of Total City Employment
1	Chevron Refinery	2,191	2.1%
2	West Contra Costa Unified School District	1,580	1.5%
3	Social Security Administration	1,259	1.2%
4	U.S. Postal Service	1,047	1.0%
5	Contra Costa County	844	0.8%
6	City of Richmond	776	0.7%
7	The Permanente Medical Group	694	0.7%
8	Kaiser Foundation Hospitals	426	0.4%
9	Bio-Rad Laboratories	473	0.5%
10	Michael Stead Auto Depot and Sales	472	0.5%
	Subtotal	9,762	9.4%

Source: Comprehensive Annual Financial Report for the Year Ended on June 30, 2013, Richmond Finance Department.

Table 5.8
Unemployment Rate

Year	Richmond	Contra Costa County
2000	6.0%	3.5%
2001	6.8%	4.1%
2002	9.5%	5.7%
2003	10.1%	6.1%
2004	9.0%	5.4%
2005	8.1%	4.9%
2006	7.2%	4.3%
2007	7.8%	4.7%
2008	10.2%	6.2%
2009	16.6%	10.3%
2010	17.8%	11.1%
2011	16.7%	10.4%
2012	14.5%	9.0%
2013	12.1%	7.4%
Nov. 2014	9.4%	5.7%

Source: State Employment Development Department, December 2014.

Table 5.9
Job Growth

Jurisdiction	Number of Jobs				Annual Growth Rate 2000-2005	Annual Growth Rate 2010-2030
	2000	2005	2010	2030		
Richmond	39,250	41,050	40,660	64,120	0.9%	2.3%
Contra Costa County	371,310	379,030	376,820	516,910	0.4%	1.6%

Source: Association of Bay Area Governments (ABAG) "Projections 2009: Building Momentum."

Households

Household characteristics are important factors when analyzing housing demand and supply, as well as future housing needs. Household type and size, age, composition, and income level all affect the type of housing needed in a community. This section details the various household characteristics affecting housing needs in Richmond.

Household Growth

Table 5.10 compares household growth in Richmond and the County. Prior to the economic recession of 2007, the number of households in Richmond was growing at a slower pace than in the County overall. This trend is expected to reverse as the local and national economy recovers. Richmond added 1,085 households between 2000 and 2005. This accounted for just 4.5 percent of the 24,181 total households added by the County overall during the same time frame. Between 2010 and 2030, Richmond is projected to add 10,380 households. This would represent an estimated gain of 519 households per year over the next 20 years.

Household Tenure

Housing tenure refers to whether a housing unit is owned, rented or vacant. Tenure is an important indicator of the housing climate of a community, reflecting the relative cost of housing opportunities, and the ability of residents to afford housing. Tenure also influences residential mobility, with owner units generally evidencing lower turnover rates than rental housing. **Table 5.11** compares household tenure in Richmond between 2000 and 2010. Between 2000 and 2010, Richmond added 1,468 households. During the same period the rate of homeownership declined by 1.6 percent compared the rate of renters. The rate of homeownership in Richmond is also much lower compared to Contra Costa County. In 2010, 67.1 percent of households in Contra Costa County were homeowners compared to 51.7 percent in Richmond.

Household Composition and Size

Table 5.12 compares household composition and household size in Richmond between 2000 and 2010. The proportions of Richmond's family and non-family households are estimated to have remained stable between 2000 and 2010, with the proportion of family households continuing to be substantially higher than non-family households. In 2010, it is estimated that 66.5 percent of households were composed of families. Of those households, relatively equal proportions consisted of families married with children and married without children. Similar to Richmond's household composition, average household size is also estimated to have remained relatively unchanged from 2.82 persons per household in 2000 to 2.83 in 2010.

Overcrowding

Overcrowding is defined as a situation where there is more than one person per room in an occupied housing unit. Severely overcrowding is defined as more than one and one-half persons per room in an occupied housing unit. Overcrowding can result from a low supply of affordable and adequate housing. Households that are unable to afford larger housing units may be forced to rent or purchase housing that is too small to meet their needs. **Table 5.13** compares overcrowding in Richmond between 2000 and 2013. The percentage of overcrowded households in Richmond is estimated to have declined from 15.3 percent in 2000 to 9.1 percent in 2013. Overcrowding continues to be higher among renter households, which represented 76.6 percent of overcrowded households in 2013.

Household Income

Table 5.14 compares household income levels in Richmond between 2000 and 2013, and presents County estimates. Richmond's median household income is estimated to have continued to lag behind the County overall. In 2000, Richmond's median household income ($44,210) was 69.4 percent of the County's median of $63,674. More recently in 2013, Richmond's median income ($54,589) was estimated to have been 69.3 percent of the County's median income ($78,756).

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Table 5.15 lists Richmond's median household income in 2013 by race and as a percentage of City and County median household incomes. Estimates show that Richmond's median household income continues to vary significantly by race. Specifically, household median incomes are estimated to be significantly lower among African American, Hawaiian and Pacific Islander, and Latino households as a percentage of the City's and the County's median household income. In contrast, Asians and Whites are estimated to have median household incomes significantly higher than the City's overall median household income and slightly lower than the County's.

Table 5.16 shows the level of poverty in Richmond between 2000 and 2013. The number of persons living in poverty is estimated to have increased from 16 percent in 2000 to 186.53 percent in 2013. Both adults ages 18 and over and children ages 18 and under experienced a decrease in poverty, while all other groups may have experienced an increase in poverty.

Table 5.10
Household Growth

Jurisdiction	2000	2005	2010	2030	Annual Growth Rate 2000-2005	Annual Growth Rate 2010-2030
Richmond	34,625	35,710	36,940	47,320	0.6%	1.2%
Contra Costa County	344,129	368,310	392,680	461,330	1.4%	0.8%

Source: Association of Bay Area Governments (ABAG) "Projections 2009: Building Momentum."

Table 5.11
Household Tenure

	Richmond 2000		Richmond 2010		Contra Costa County 2010	
Tenure	Households	% of Total	Households	% of Total	Households	% of Total
Owner	18,463	53.3%	18,659	51.7%	251,904	67.1%
Renter	16,162	46.7%	17,434	48.3%	123,460	32.9%
Total	34,625		36,093		375,364	

Source: U.S. Census Bureau, 2000 and 2010 Census.

Table 5.12
Household Composition

	Richmond 2000		Richmond 2010		Contra Costa County 2010	
Type	Number	% of Total	Number	% of Total	Number	% of Total
Families	23,042	66.5%	24,018	66.5%	265,280	70.7%
Married with Children	6,991	20.2%	6,915	19.2%	93,772	25.0%
Married no Children	7,032	20.3%	7,587	21.0%	105,249	28.0%
Other Families	9,019	26.0%	9,516	26.4%	66,259	17.7%
Non-Families	11,584	33.5%	12,075	33.5%	110,084	29.3%
Singles	9,083	26.2%	9,546	26.4%	85,055	22.7%
Other Non-Families	2,500	7.2%	2,529	7.0%	25,029	6.7%
Avg. Household Size	2.82		2.83		2.77	

Source: 2000 and 2010 Census.

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Table 5.13
Overcrowded Households

Type of Households	Overcrowded (1.01 to 1.50 persons/room)	Severely Overcrowded (1.51 or more persons/room)	Total	Total Households	
				Number	Percent
2000					
Owner	1,035	813	1,848	18,463	10.0%
Renter	1,476	1,957	3,433	16,162	21.2%
Total	2,511	2,770	5,281	34,625	15.3%
2009-2013 Estimates					
Owner	552	223	775	18,150	4.3%
Renter	1,583	954	2,538	18,058	14.1%
Total	2,135	1,177	3,313	36,208	9.1%

Source: U.S. Census Bureau, 2000 Census and 2009-2013 American Community Survey.

Table 5.14
Household Income

Income Level	Richmond 2000		Richmond 2009-2013 Estimates		Contra Costa County 2009-2013 Estimates	
	Households	% of Total	Households	% of Total	Households	% of Total
Less than $10,000	3,489	10.0%	2,618	7.2%	14,890	4.0%
$10,000 to $14,999	2,020	5.8%	2,226	6.1%	13,673	3.6%
$15,000 to $24,999	3,894	11.2%	3,530	9.7%	26,720	7.1%
$25,000 to $34,999	3,958	11.4%	3,346	9.2%	26,085	6.9%
$35,000 to $49,999	6,138	17.7%	4,802	13.3%	38,741	10.3%
$50,000 to $74,999	6,849	19.7%	6,466	17.9%	59,459	15.8%
$75,000 to $99,999	4,251	12.2%	4,976	13.7%	47,110	12.5%
$100,000 to $149,999	2,986	8.6%	4,626	12.8%	67,739	18.0%
$150,000 to $199,999	701	2.0%	1,994	5.5%	37,429	10.0%
$200,000 or more	455	1.3%	1,624	4.5%	44,009	11.7%
Total Households	34,741		36,208		375,855	
Median Household Income	44,210		54,589		78,756	

Source: U.S. Census Bureau, 2000 Census and 2009-2013 American Community Survey.

Table 5.15
Median Household Income by Race

Race of Household	Median Income	Percent of City Median Income	Percent of County Median Income
All Households	54,589	100.0%	69.3%
Hispanic or Latino	48,222	88.3%	61.2%
Non-Hispanic White	75,474	138.3%	95.8%
Black or African American	40,780	74.7%	51.8%
American Indian	52,179	95.6%	66.3%
Asian	77,146	141.3%	98.0%
Hawaiian and Pacific Islander	44,583	81.7%	56.6%
Other	52,563	96.3%	66.7%
Two or More Races	58,583	107.3%	74.4%

Source: U.S. Census Bureau, 2009-2013 American Community Survey.

Table 5.16
Household Poverty Status

Type	Richmond 2000		Richmond 2009-2013 Estimates	
	Below Poverty Level	% of Total	Below Poverty Level	% of Total
Persons (all ages)	15,763	16.0%	19,266	18.5%
Adults (age 18 and over)	9,597	16.0%	11,920	11.5%
Children (under age 18)	6,166	23.0%	7,346	7.1%
Families	3,141	13.0%	3,766	15.6%
Female-Headed Households	1,658	25.0%	2,171	29.5%
Families with children	2,627	19.0%	3,267	24.6%

Source: U.S. Census Bureau, 2000 Census and 2009-2013 American Community Survey.

Housing Stock

This section describes the City's housing stock, including tenure, age, condition, vacancy, and at-risk housing.

Housing Type and Growth

Table 5.17 compares Richmond's housing stock between 2000 and 2013. Detached single-family homes continue to make up the majority of residential units in Richmond, comprising 56.7 percent of the total estimated housing stock in 2013. Multifamily structures with three to four units were the next most common type, comprising 9.3 percent of Richmond's housing stock in 2013.

Table 5.17 also compares Richmond's housing growth between 2000 and 2013. The total number of housing units in Richmond is estimated to have increased by 11.4 percent from 36,044 in 2000 to 40,169 in 2013. This represents an overall increase of 4,125 housing units during the 13-year period and on average, 317 units constructed per year. The largest numerical increase in housing units was in detached single-family homes, which increased by 2,307 units.

Housing Age and Condition

Age is an important factor in the condition of a housing unit. Typically, after 30 years most housing units show signs of deterioration and need reinvestment to maintain its condition. Without proper maintenance, housing that is over 50 years old requires major reinvestment to maintain its quality and appearance.

Homeowners with older units may require assistance to upgrade conditions or such units will become substandard for use by homeowners or renters and many eventually become unsuitable for occupancy. **Table 5.18** lists Richmond's housing stock by year built. It is estimated that as of 2013, 70.4 percent of Richmond's housing units were over 30 years old and that 47.6 percent were over 50 years old, which indicates an older housing stock.

The most recent survey and analysis of conditions in the City's former Redevelopment Areas was conducted in 2008, and found a wide variety of building types, ages and conditions. A substantial number of buildings in the Redevelopment Areas were found to suffer from very extensive or extensive building deficiencies. While these findings are approximately 7 years old, conditions are less likely to have changed significantly due to the economic recession that followed. Buildings in these areas exhibited major adverse conditions that would likely be costly to remedy, including dilapidation, dry rot or termite damage, poor alignment or subsidence, structurally unsound foundations, informal or substandard construction, and fire damage. The field survey indicated that buildings exhibiting major adverse conditions were found throughout the Redevelopment Areas. Appendix A includes a map of buildings with major adverse (114 buildings) and multiple adverse (269 buildings) physical conditions identified during the 2008 survey.

Serious building-related code violations are further evidence of unsafe and unhealthy buildings. Building-related code violations provide a snapshot of the interior, as well as exterior, building conditions. Within Richmond, approximately 543 cases were found to be open as of April, 2015. Cases that were deemed abated or unfounded were not included in the analysis. Of the open cases, approximately 510 cases or 61 percent were in the Redevelopment Areas. Of these cases, 45 complaints were related to building health and safety issues (compared to 96 for the entire City).

Vacancy Rates

A vacancy rate measures the overall housing availability in a community and is often a good indicator of how efficiently for-sale and rental housing units are meeting the current demand for housing. A vacancy rate of five percent for rental housing and two percent for ownership housing is generally considered healthy and suggests a balance between the demand and supply of housing. A lower vacancy rate may indicate that households are having difficulty in finding housing that is affordable, leading to overcrowding or households having to pay more than they can afford. A low vacancy rate or a particularly 'tight' housing market may also lead to high competition for units, raising rental and housing prices substantially.

Vacancy trends in housing are analyzed using a vacancy rate that establishes the relationship between housing supply and demand. If the demand for housing is greater than the available supply, then the vacancy rate is probably low and the price of housing will most likely remain stable.

Table 5.19 compares vacancy rates in Richmond and the County between 2000 and 2013. It is estimated that Richmond continues to have higher vacancy rates than the County overall. Richmond's vacancy rate is estimated to have increased from 3.9 percent in 2000 to 9.9 percent in 2013 while the County's increased from 2.9 to 6.5 percent during the same period. The vacancy rate of rental units in Richmond was 3.8 times the vacancy rate of owner occupied units in 2013 compared to the County rate of 2.7 times. Given the housing crisis and economic recession that began in 2007, vacancy rates in Richmond and the County have increased.

At-Risk Housing

California Housing Element law requires all jurisdictions to include a study of all low-income housing units that may at some future time be lost to the affordable inventory by the expiration of some type of affordability restrictions. The law requires that the analysis and study cover a 10-year period, and be divided into two periods, coinciding with updates of the Housing Element. Three general cases that can result in the

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conversion of public assisted units:

- Prepayment of HUD mortgages: Section 221(d)(3), Section 202 and Section 236 – A Section 221 (d)(3) is a privately owned project where the U.S. Department of Housing and Urban Development (HUD) provides either below market interest rate loans or market rate loans with a subsidy to the tenants. With Section 236 assistance, HUD provides financing to the owner to reduce the costs for tenants by paying most of the interest on a market rate mortgage. Additional rental subsidy may be provided to the tenant. Section 202 assistance provides a direct loan to nonprofit organizations for project development and rent subsidy for low-income elderly tenants. Section 202 also provides assistance for the development of units for physically handicapped, developmentally disabled, and chronically mentally ill residents.
- Opt-outs and expirations of project-based Section 8 contracts – Section 8 is a federally funded program that provides for subsidies to the owner of a pre-qualified project for the difference between the tenant's ability to pay and the contract rent. Opt-outs occur when the owner of the project decides to opt-out of the contract with HUD by pre-paying the remainder of the mortgage. Usually, the likelihood of opt-outs increases as the market rents exceed the contract rents.
- Other – Expiration of the low-income use period of various financing sources, such as Low Income Housing Tax Credit (LIHTC), bond financing, density bonuses, California Housing Finance Agency (CHFA), Community Development Block Grant (CDBG) and HOME programs and redevelopment funds. Generally, bond financing properties expire according to a qualified project period or when the bonds mature.

The City of Richmond contains a variety of assisted rental units and complexes, which utilize a range of funding mechanisms. **Table 5.20** presents rental housing units identified by the California Housing Partnership Corporation (CHPC) as at risk of conversion. Excluding units for which expiration dates are unknown, a total of 199 of Richmond's rental housing units are currently considered at a moderate-risk of converting. The CHPC identified an additional 2,416 units that are considered at low-risk of conversion. Many of these units are federally-assisted through the Section 8 Program. Staff is currently trying to make contact with a HUD staff person to confirm that these contracts are intended to be renewed. It is possible that any of these complexes may opt out of Section 8 subsidy and return to market rate rent at the time of annual contract expiration. Such conversion could occur during the lifetime of this Housing Element.

The surest way to ensure that no units convert to market rate within the planning period is to acquire and preserve all at-risk units or construct new housing to replace those units. Either of these methods will ensure affordable controls and price restrictions are extended to at-risk households under current federal, state, and local programs. In Richmond, the cost of preserving assisted units is estimated to be less than that required to replace the units through new construction. Preservation of assisted units generally requires subsidizing the difference between market-rate and assisted rents. Since land prices and land availability are generally the limiting factors to development of new affordable housing, it is estimated that subsidizing rents to preserve assisted housing is more feasible and economical than construction.

Cost of Replacement or Preservation

The cost of replacing the very high-risk units identified in **Table 5.20**, based on a market survey of the costs of land and construction, would be approximately $239,000 for a two-bedroom 720 square-foot unit in 2012, including financing and permit fees. This assumes no profit and sales or marketing fees, since the City would be developing these projects itself and would not need to profit from them. To replace all 199 federally assisted multifamily units at moderate-risk within the current planning period would cost approximately $47.6 million. If on the other hand, the City were to acquire all 199 units at market rate and rehabilitate them, the cost would be approximately $32.2 million assuming a total estimated $161,990 cost of preserving a unit.

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Based on these estimates, the cost of replacement far outweighs the costs associated with acquiring and rehabilitating all at-risk units. A more important factor to consider is that not all units identified as being at-risk are in need of rehabilitation, but may simply require acquisition in order to be preserved as affordable units. This would reduce the amount of money required for preservation. Nonetheless, the cost of acquisition alone is significant enough to discourage plans to acquire all units. The most economical option is to continue the status-quo by providing subsidies to households and helping property owners keep assisted housing affordable for lower income households, while at the same time, acquiring and rehabilitating units when necessary.

Entities Qualified to Preserve At-Risk Units

The State HCD maintains a current list of all qualified entities across the state. A qualified entity is a nonprofit or for-profit organization or individual that agrees to maintain the long-term affordability of affordable housing developments. The qualified entities that the State HCD lists for Contra Costa County are shown in **Table 5.21.**

Table 5.17
Household Stock by Unit Type

	Richmond 2000		Richmond 2009-2013 Estimates		Change	
Units in Structure	**Number**	**% of Total**	**Number**	**% of Total**	**Number**	**% of Total**
Single-family detached	20,467	56.8%	22,774	56.7%	2,307	55.9%
Single-family attached	2,928	8.1%	2,732	6.8%	-196	-4.8%
Duplex	1,540	4.3%	2,457	6.1%	917	22.2%
3 or 4 units	3,712	10.3%	3,732	9.3%	20	0.5%
5 to 9 units	2,183	6.1%	2,389	5.9%	206	5.0%
10 to 19 units	1,728	4.8%	2,718	6.8%	990	24.0%
20 or more units	3365	9.3%	3,268	8.1%	-97	-2.4%
Mobile home	65	0.2%	69	0.2%	4	0.1%
Other (RCs, Vans, Boats, etc.)	56	0.2%	30	0.1%	-26	-0.6%
Total	36,044		40,169		4,125	100.0%

Table 5.18
Housing Stock by Year Built

Year Built	Number	Percentage	Accumulated %
Built 1939 or earlier	4,662	11.6%	11.6%
Built 1940 to 1949	7,879	19.6%	31.3%
Built 1950 to 1959	6,906	17.2%	48.5%
Built 1960 to 1969	5,565	13.9%	62.3%
Built 1970 to 1979	3,223	8.0%	70.4%
Built 1980 to 1989	5,132	12.8%	83.2%
Built 1990 to 1999	2,936	7.3%	90.5%
Built 2000 to 2004	2,052	5.1%	95.6%
Built 2005 or later	1,761	4.4%	100.0%

Source: 2008-2010 American Community Survey.

Table 5.19
Vacancy Rate

Unit Type	2000		2009-2013 Estimates	
	Richmond	County	Richmond	County
Owner	1.2%	0.8%	1.9%	1.9%
Rental	3.1%	2.7%	7.2%	5.2%
Total	3.9%	2.9%	9.9%	6.5%

Source: U.S. Census Bureau, 2009-2013 American Community Survey.

Table 5.20
Assisted Rental Housing Development At-Risk of Conversion

Project Name	Address	# of Units	Type of Subsidy	Program Type	Current Owner	Earliest Expiration	At Risk Level
The Arbors Apartments	5317 Creely Ave.	36	Section 8	LMSA	Limited Dividend	8/31/2026	Low
Barrett Plaza Townhouses	740 Barrett Ave.	58	Section 8, 236(j)(1)	LMSA	Non-Profit	12/31/2031	Low
Barrett Terrace Apartments	700 Barrett Ave.	115	Section 8, 236(j)(1)	LMSA	Non-Profit	12/31/2031	Low
Baycliff Apartments	2300 Lancaster Dr.	342	Tax Credits	LIHTC	Profit Motivated	11/24/2023	Low
The Carquinez	400 Harbour Way	36	Tax Credits	LIHTC	Profit Motivated	NA	Unknown
Community Heritage Senior Apartments	1555 3rd Street	52	Section 8, 202	PRAC/202	Non-Profit	11/30/2014	Low
Crescent Park	5000 Hartnett Ave.	378	Section 8, Tax Credits	Preservation, LIHTC	Limited Dividend	12/31/2026	Low
Deliverance Temple I & II	4312 Potrero Ave.	82	Section 8, Tax Credits	LMSA, LIHTC	Limited Dividend	8/31/2017	Low
Easter Hill Apartments (Phase IA)	700 So. 26th St.	51	Tax Credits	LIHTC	Profit Motivated	11/24/2035	Low
Easter Hill Apartments (Phase IB)	700 So. 26th St.	67	Tax Credits	LIHTC	Profit Motivated	11/24/2035	Low
Easter Hill Apartments (Phase II)	700 South 26th St.	123	Tax Credits	LIHTC	Profit Motivated	11/20/2036	Low
Heritage Park at Hilltop	3811 Lakeside Dr.	192	Tax Credits	LIHTC	Profit Motivated	4/13/2030	Low
Liberty Village	298 West Chanslor Ave.	100	Tax Credits	LIHTC	Profit Motivated	11/22/2028	Low
Lillie Mae Jones Plaza	120 Macdonal Ave.	36	Tax Credits	LIHTC	Profit Motivated	NA	Unknown
Monterrey Pines	680 So. 37th St.	324	223(a)(7)/221(d)(4)M, Tax Credits	LIHTC	Profit Motivated	12/24/2029	Low
Pullman Point	2989 Pullman Ave.	199	Section 8	LMSA	Profit Motivated	2/29/2024	Moderate
Richmond City Center Apartments	1000 Macdonald Ave.	63	Tax Credits	LIHTC	Profit Motivated	2/25/2023	Low
Richmond Townhouses	2989 Pullman Ave.	199	Tax Credits	LIHTC	Profit Motivated	6/24/2024	Low
Richmond MacDonald Senior Apartments	250 & 410 Macdonald Ave.	66	Tax Credits	LIHTC	Profit Motivated	11/11/2038	Low
Rubicon Homes	978 Thirteenth St.	10	Section 8	202/8 NC	Non-Profit	8/31/2027	Low
St. John's Apartments	121 W. Macdonald Ave.	158	Section 8	LMSA	Profit Motivated	6/30/2033	Low
Total Assisted Rental Housing Units:		**2687**					

Source: California Housing Partnership Corporation, January 2015.

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Table 5.21
Qualified Entities in Contra Costa County

Entity	City
ACLC, Inc.	Stockton
Affordable Housing Associates	Berkeley
Alameda County Allied Housing Program	Hayward
Anka Behavioral Health	Concord
City of Walnut Creek	Walnut Creek
Community Housing Development Corp.	Richmond
East Bay Asian Local Development Corporation	Oakland
East Bay NHS	Richmond
Eskaton Properties, Inc.	Carmichael
Northern California Land Trust, Inc.	Berkeley
Pacific Community Services, Inc.	Pittsburg
Resources for Community Development	Berkeley
ROEM Development Corporation	Santa Clara
Rubicon Programs, Inc.	Richmond
Rural California Housing Corp	West Sacramento
Satellite Housing Inc.	Berkeley

Source: California Department of Housing and Community Development, January 2015.

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Housing Needs

This section of the Housing Element includes data that assists in the determination of the future housing needs for current and future residents of Richmond. It analyzes housing costs, affordability and overpayment; presents information on special needs populations; and describes the region's housing needs and Richmond's Regional "Fair share" allocation.

Housing Cost, Affordability and Overpayment

The affordability of housing in Richmond can be assessed by comparing market rents and sales prices with the amount that households of different income levels can afford to pay for housing. Compared together, this information reveals which households can afford what size and type of housing as well as indicates the type of households that would most likely experience overcrowding or overpayment. According to HUD, the generally accepted definition of housing affordability is for a household to pay no more than 30 percent of its annual income on housing. Households that pay over 30 percent of their income for housing are considered cost burdened and may have difficulty affording other basic necessities.

Cost and Affordability of Ownership Housing

Table 5.22 lists the median sales prices of single-family homes in Richmond in 2000, 2005 and 2014. Prior to the start of the economic downturn in 2007, the residential real estate market experienced a substantial increase in prices resulting from historically low mortgage rates, low inventory of homes available for sale, a steadily growing labor market, and an increasing population. However, as a result of the subsequent mortgage and foreclosure crisis, median home sales prices decreased dramatically throughout the country. In Richmond, the median home sales price is estimated to have decreased 24.8 percent, from $430,000 in 2005 to approximately $323,500 in 2014.

Table 5.23 shows the maximum sales prices that were considered to be affordable to extremely low, very low, low, and moderate-income households based on income limits published by the State HCD in 2014. The maximum sales price affordable to a very low-income four-person household in 2014 was $178,861. As shown in **Table 5.22**, the median sales price of a single-family home as of 2014 was estimated at $323,500.

This data suggests that the average single-family home in Richmond is becoming increasingly less affordable to very low, low and moderate income households capable of qualifying for mortgages under the stricter lending requirements that have emerged since the mortgage crisis began in 2007.

Cost and Affordability of Rental Housing

Table 5.24 lists the median gross rents in Richmond in 2000, 2010 and 2015. The median gross rent is estimated to have increased by 53.4 percent from $764 in 2000 to $1,172 in 2015. This increase coincides with the considerable increase in median sales prices for single-family homes prior to the recession. However, unlike home prices, rents have not decreased during the recession.

Table 5.25 shows the maximum monthly rents that were considered to be affordable to extremely low, very low, low, and moderate-income households**.** The maximum affordable rent for a very low-income four-person household in 2014 was $1,169. As shown in **Table 5.26**, 4.7 percent of all two bedroom rental units rented for less than $1,000 in 2013. This suggests that Richmond's rental housing stock has become less affordable to very low, low and moderate income households.

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Overpaying Households

Table 5.27 compares the proportion of Richmond and County households that were estimated to have been overpaying for housing in 2013. A larger percentage of Richmond residents (46.8 percent) were overpaying compared to residents in the County as a whole (43.5 percent). Of all Richmond residents estimated to have been overpaying for housing, 19.5 percent consisted of owner households and 27.3 percent of renter households.

Table 5.28 summarizes the number of low-income households, by tenure, paying more than 30 percent of their income on housing. In 2013, an estimated 82.1 percent of low-income renter households and 60.6 percent of low-income owner households paid more than 30 percent of their income on housing.

Extremely Low-income Housing Needs

Extremely low-income households earn 30 percent or less of median household income. In 2013, the median household income in Richmond was $54,589. This results in a household income of $16,377 or less for an extremely low households. According to 2011 estimates, 19.9 percent of households (7,135 of 35,885) in Richmond had extremely low incomes. Most extremely low-income households (76.8 percent) were renters and experienced a high incidence of housing problems. A household is said to have a housing problem if one or more of the following conditions exist: (1) lack of complete kitchen facilities; (2) lack of complete plumbing facilities; (3) overcrowding; and/or (4) cost burdened. A household is cost burdened if monthly housing costs, including utilities, exceed 30 percent of monthly income.

Table 5.29 indicates the number of extremely low-income households that experienced housing problems, or had cost burdens greater than 30 and 50 percent of household income. An estimated 81.8 percent (4,480) of extremely low-income renter households and 69.2 percent (1,145) of extremely low-income owner households experienced housing problems. Moreover, 64.1 percent (4,575) of extremely low-income households paid more than 50 percent of their household income toward housing costs, compared to 23.8 percent for all Richmond households.

The Regional Housing Needs Assessment (RHNA) for Richmond estimates that 438 very low-income units are needed between 2014 and 2022. The City estimates that 50 percent (allowed per State law methodology) of its very low-income housing allocation is needed for housing affordable to extremely low-income households. Therefore, the City projects that 219 extremely low-income units are needed during this RHNA period.

Table 5.22
Median Sales Price

Year	Median Sales Price	Change	
		Dollars	Average Annual Percent Change
2000	$187,229		
2005	$430,000	$242,771	18.1%
2014	$323,500	-$106,500	-3.1%

Source: 2000 U.S. Census, DataQuick, Trulia Inc. 2015.

Table 5.23
Owner Affordable Housing Costs in 2014

Household Income Category		Household Size							
		1-Person	2-Person	3-Person	4-Person	5-Person	6-Person	7-Person	8-Person
Ext. Low	Max. Sales Price	$52,674	$65,807	$78,772	$91,793	$102,300	$112,750	$123,256	$113,707
	Income Limit	$19,650	$22,450	$25,250	$28,050	$30,300	$32,550	$34,800	$37,050
Very Low	Max. Sales Price	$113,700	$135,327	$157,234	$178,861	$196,353	$213,789	$231,281	$248,717
	Income Limit	$32,750	$37,400	$42,100	$46,750	$50,500	$54,250	$58,000	$61,750
Lower	Max. Sales Price	$181,656	$213,119	$244,526	$275,989	$301,360	$326,508	$351,656	$376,804
	Income Limit	$47,350	$54,100	$60,850	$67,600	$73,050	$78,450	$83,850	$89,250
Median	Max. Sales Price	$265,985	$309,519	$353,053	$396,587	$431,515	$466,219	$501,147	$535,851
	Income Limit	$65,450	$74,800	$84,150	$93,500	$101,000	$108,450	$115,950	$123,400
Moderate	Max. Sales Price	$326,955	$379,151	$431,515	$483,711	$525,625	$567,259	$609,172	$650,862
	Income Limit	$78,550	$89,750	$101,000	$112,200	$121,200	$130,150	$139,150	$148,100

Note: Max. sales price assumes 'conservative loan', no existing debt or liabilities, 10% downpayment, 5% annual interest, 30-year mortgage, $2,000 property taxes/yr., $500 property insurance/yr.

Source: California Department of Housing and Community Development, February 2014; Wells Fargo Affordability Calculator, January 2015.

Table 5.24
Median Gross Rents

Year	Median Market Rent	Change Dollars	Change Percent
2000	$764		
2010	$1,136	$372	4.0%
Jan. 2015	$1,172	$36	1.6%

Source: U.S. Census Bureau, 2000 U.S. Census and 2009-2013 American Community Survey

Table 5.25
Renter Affordable Housing Costs 2014

Household Income Category		Household Size							
		1-Person	2-Person	3-Person	4-Person	5-Person	6-Person	7-Person	8-Person
Ext. Low (30%)	Montly Rent	$491	$561	$631	$701	$758	$814	$870	$926
	Monthly Income	$1,638	$1,871	$2,104	$2,338	$2,525	$2,713	$2,900	$3,088
Very Low (50%)	Montly Rent	$819	$935	$1,053	$1,169	$1,263	$1,356	$1,450	$1,544
	Monthly Income	$2,729	$3,117	$3,508	$3,896	$4,208	$4,521	$4,833	$5,146
Lower (80%)	Montly Rent	$1,184	$1,353	$1,521	$1,690	$1,826	$1,961	$2,096	$2,231
	Monthly Income	$3,946	$4,508	$5,071	$5,633	$6,088	$6,538	$6,988	$7,438
Median (100%)	Montly Rent	$1,636	$1,870	$2,104	$2,338	$2,525	$2,711	$2,899	$3,085
	Monthly Income	$5,454	$6,233	$7,013	$7,792	$8,417	$9,038	$9,663	$10,283
Moderate (120%)	Montly Rent	$1,964	$2,244	$2,525	$2,805	$3,030	$3,254	$3,479	$3,703
	Monthly Income	$6,546	$7,479	$8,417	$9,350	$10,100	$10,846	$11,596	$12,342

Source: California Department of Housing and Community Development, February 2014

Table 5.26
Gross Rents by Bedroom

Rent	1-Bedroom Units		2-Bedroom Units		3 or more Bedroom Units	
	2000	09-'13	2000	09-'13	2000	09-'13
Less than $200	375	60	295	185	155	15
$200-$299	338	312	241	176	82	105
$300-$499	481	310	394	241	296	207
$500-$749	1,786	404	1,897	443	465	164
$750-$999	1,293	938	1,645	1,550	832	323
$1,000 or more	898	2,073	1,780	5,135	1,245	4,122
Total Units	5,171	4,097	6,252	7,730	3,075	4,936

Source: U.S. Census Bureau, 2000 U.S. Census and 2009-2013 American Community Survey.

Table 5.27
Overpaying Households

Household Income	Owner Households		Renter Households		Total	
	Overpaying Households	Percent	Overpaying Households	Percent	Overpaying Households	Percent
Less than $20,000	1,047	14.8%	4,041	40.7%	5,088	30.0%
$20,000-$34,999	1,013	14.3%	2,770	27.9%	3,783	22.3%
$35,000-$49,999	1,293	18.3%	1,794	18.1%	3,087	18.2%
$50,000-$74,999	1,517	21.5%	1,182	11.9%	2,699	15.9%
$75,000 or more	2,192	31.0%	130	1.3%	2,322	13.7%
Total	7,062	100.0%	9,917	100.0%	16,979	100.0%
Percent of Household Type	38.9%		54.9%		46.8%	
Percent of Total Households						
Richmond	19.5%		27.3%		46.8%	
Contra Costa County	25.5%		17.9%		43.5%	

Note: An overpaying household is a household which pays 30 percent or more of its household income on housing costs.

Source: U.S. Census Bureau, 2009-2013 American Community Survey.

Table 5.28
Percentage of Low-Income Households Overpaying for Housing

	Low Income Households	Paying 30% or more of HH Income	Percent
Owner-Occupied Units	4,460	2,702	60.6%
Renter-Occupied Units	9,062	7,436	82.1%

Source: U.S. Census Bureau, 2009-2013 American Community Survey.

Table 5.29
Housing Problems for Extremely Low-income Households

	Renters	Percent Renters	Owners	Percent Owners	Total ELI Households	Percent Total ELI Households
Household Income <=30 percent MFI	5,480	100%	1,655	100%	7,135	100%
Percent with any housing problems	4,480	81.8%	1,145	69.2%	5,625	78.8%
Percent Housing Cost Burden >30 percent	4,440	81.0%	1,145	69.2%	5,585	78.3%
Percent Housing Cost Burden >50 percent	3,680	67.2%	895	54.1%	4,575	64.1%

Source: 2007 - 2011 Comprehensive Housing Affordability Strategy (CHAS) Databook.

Special Needs Populations

Certain households have more difficulty in finding decent and affordable housing due to special circumstances such as economic status, age, disability, household size and household type. As a result, these households may experience a higher prevalence of overpaying, overcrowding, and other housing problems. Special needs populations in Richmond include seniors, large family households, female-headed households, persons with disabilities, and homeless persons and families.

Senior Persons and Households

Seniors have special needs primarily resulting from physical disabilities and limitations, income, and health care costs. Additionally, senior households also have other needs to preserve their independence including supportive services to maintain their health and safety, in-home support services to perform activities of daily living, conservators to assist with personal care and financial affairs, public administration assistance to manage and resolve estate issues, and networks of care to provide a wide variety of services and daily assistance.

Table 5.30 shows the growth in Richmond's senior population from 1990 to 2010. Richmond's senior population is estimated to have increased by 6.8 percent between 1990 and 2010. During that same period however, it is estimated that the proportion of seniors to the rest of Richmond's population hovered at around ten percent. **Table 5.31** lists Richmond's 2010 senior population by age and gender. The majority of Richmond seniors (58.2 percent) are female. Seniors over the age of 80, who may require additional care due to their advanced age, represented 25.4 percent of all seniors in 2010. **Table 5.32** compares Richmond's senior households in 2010 by tenure. Senior households are estimated to have represented 10.2 percent of the total population in 2010. Of those senior households, 73.3 percent were owner occupied. **Table 5.33** describes the services that are available for the elderly or disabled in Richmond.

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Table 5.30
Senior Population Growth

Year	Population	% of Total Population	Change	
			Number	Percent
1990	9,912	11.4%		
2000	9,806	9.9%	-106	-1.1%
2010	10,582	10.2%	776	7.9%

Source: 1990, 2000 and 2010 U.S. Census.

Table 5.31
Senior Population by Age

Age	Male			Female		
	Number	Percent	% of Total	Number	Percent	% of Total
65 to 69	1,593	36.0%	1.5%	2,030	33.0%	2.0%
70 to 74	1,129	25.5%	1.1%	1,366	22.2%	1.3%
75 to 79	724	16.4%	0.7%	1,049	17.0%	1.0%
80 to 84	508	11.5%	0.5%	797	12.9%	0.8%
85 years and over	469	10.6%	0.5%	917	14.9%	0.9%
Total	4,423	100.0%	4.3%	6,159	100.0%	5.9%

Source: 2010 U.S. Census.

Table 5.32
Senior Households

Age	Number	% of Total
Renter Occupied		
65 to 74	1,157	17.2%
75 to 84	467	6.9%
85 years and over	174	2.6%
Total	1,798	26.7%
Owner Occupied		
65 to 74	2,681	39.9%
75 to 84	1,506	22.4%
85 years and over	742	11.0%
Total	4,929	73.3%
Total Households		
65 to 74	3,838	57.1%
75 to 84	1,973	29.3%
85 years and over	916	13.6%
Total	6,727	100.0%

Source: 2010 U.S. Census.

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Table 5.33
Services for the Elderly or Disabled

Facility Type	Number	Unit/Beds	Service
Senior Apartments	9	813	Apartment complex for seniors.
Disabled-only Apartments	2	13	Apartment complex for disabled persons. Many senior complexes also allow disabled persons.
Children's Residential Group Home	2	12	Facilities of any capacity and provide 24-hour non-medical care and supervision to children in a structured environment. Provide social, psychological, and behavioral programs for troubled youths.
Social Rehabilitation Facility	1	16	Provides 24-hour-a-day non-medical care and supervision in a group setting to adults recovering from mental illnesses, who temporarily need assistance, guidance, or counseling.
Adult Residential Facility	16	85	Facilities of any capacity that provide 24-hour non-medical care for adults ages 18 through 59, who are unable to provide for their own daily needs. Adults may be physically handicapped, developmentally disabled, and/or mentally disabled.
Adult Day Care	6	306	Facilities of any capacity that provide programs for frail elderly and developmentally disabled and/or mentally disabled adults in a day care setting.
Assisted Living Residential Care for the Elderly	21	234	Provide care, supervision and assistance with activities of daily living, such as bathing and grooming. They may also provide incidental medical services under special care plans. The facilities provide services to persons 60 years of age and over and persons under 60 with compatible needs. May also be known as assisted living facilities, retirement homes and board and care homes. The facilities can range in size from six beds or less to over 100 beds. The residents in these facilities require varying level of personal care and protective supervision.

Source: State of California Community Care Licensing Division, February 2015.

Large Family Households

Large family households are defined as households of five or more persons. Large family households are considered a special needs group due to the limited availability of affordable and adequately sized housing to accommodate their needs. The more persons in a household, the more rooms are needed to accommodate that household. Specifically, a five-person household would require three or four bedrooms, a six-person household would require four bedrooms, and a seven-person household would require four to six bedrooms.

Table 5.34 compares the number of large households to the type and number of occupied housing units in 2013. Richmond continues to have a sufficient amount of housing units to accommodate the needs of large households. It is estimated that 4,915 households (13.6 percent of all households) had five or more persons and 17,715 occupied housing units had three or more bedrooms.

Table 5.34
Large Households and Housing Units

Size	Number	Percent	Beds	Units	Percent
Owner Units			**Owner Units**		
5-Person	1,096	53.4%	3-Bed	8,596	68.9%
6-Person	421	20.5%	4-Bed	3,233	25.9%
7-Person or more	535	26.1%	5-Bed or More	647	5.2%
Total	2,052	100.0%	Total	12,476	100.0%
Renter Units			**Renter Units**		
5-Person	1,557	54.4%	3-Bed	4,181	79.8%
6-Person	663	23.2%	4-Bed	892	17.0%
7-Person or more	643	22.5%	5-Bed or More	166	3.2%
Total	2,863	100.0%	Total	5,239	100.0%

Source: U.S. Census Bureau, 2009-2013 American Community Survey.

Single Parent-Headed Households

Finding affordable, decent, and safe housing is often more difficult for single parent-headed households. Single parent-headed households tend to have special needs involving access to daycare or childcare, health care, and other supportive services. In addition, single parent-headed households with children in particular tend to have lower incomes, which limits their housing options and access to supportive services.

Table 5.35 lists the estimated number of single parent-headed households in Richmond as well as the proportion of those households that were considered to be under the poverty level as of 2013. An estimated 20.3 percent of households (7,361) were headed by females, with a relatively equal proportion with children and without children. A smaller percentage (6.3 percent) of single parent-households were headed by males, with a relatively equal proportion with children and without children. Of the 1,096 families under the poverty level in Richmond, 2,173 (57.7 percent) were female-headed.

Table 5.35
Single Parent-Headed Households

Householder Type	Number	% of Households
Households	36,208	100.0%
Female-headed households	7,361	20.3%
Female heads with children under 18	3,783	10.4%
Female heads without children under 18	3,578	9.9%
Male-headed households	2,289	6.3%
Male heads with children under 18	1,127	3.1%
Male heads without children under 18	1,162	3.2%
Families	24,144	100.0%
Families under the poverty level	3,769	15.6%
Female-headed family under the poverty level	2,173	9.0%
Male-headed family under the poverty level	500	2.1%

Source: U.S. Census Bureau, 2009-2013 American Community Survey.

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Persons with Disabilities

A disability is defined as a long lasting condition that impairs individual's mobility, ability to work, or ability to care for his or herself. Persons with disabilities include persons having work or employment disabilities, physical disabilities, self-care limitations, sensory disabilities and mental disabilities. Disabled persons have special housing needs because of their fixed income, shortage of affordable and accessible housing, and higher health costs associated with their disability.

Tables 5.36 list the number of Richmond residents with disabilities by employment status in 2013. Residents with disabilities accounted for 8.1 percent of all Richmond residents between the ages of 18 and 64 in 2013. A total of 1,790 working age persons with disabilities were employed in the City, or 2.6% of the working age population. By comparison, significantly more persons with disabilities were not in the labor force, totaling 5.5% of all working age residents in the City.

Tables 5.37 list the number of Richmond residents with disabilities by disability type in 2013. A total of 11,001 persons with disabilities are reported in Richmond. Hearing and vision difficulty are reported for ages 5 and under (cognitive and other disabilities may be present but not diagnosed), with vision difficulties reported for all in that age group. Disabilities for persons ranging from ages 5-64 vary, but cognitive and independent living difficulties are most prevalent. The majority of seniors with disabilities ages 65 and over experience ambulatory and independent living difficulty.

Table 5.36
Persons with Disabilities by Employment Status

	Number	Percent
Total Population 18 to 64 Years	67,684	100%
In the labor force	51,582	76.2%
Employed Persons with a Disability (ages 18-64)	1,790	2.6%
Not Employed Persons with a Disability (ages 18-64)	434	0.6%
Not in the labor force	16,102	23.8%
With a Disability (ages 18-64)	3,747	5.5%

Source: U.S. Census Bureau, 2009-2013 American Community Survey.

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Table 5.37
Persons with Disabilities by Disability Type

Disability	Number	Percent
Total Disabilities	**11,001**	**100%**
Total Disabilities for Ages 0-5	**40**	**0.4%**
Hearing Difficulty	28	70.0%
Vision Difficulty	40	100.0%
Total Disabilities for Ages 5-64	**6,671**	**60.6%**
Hearing Difficulty	821	12.3%
Vision Difficulty	848	12.7%
Cognitive Difficulty	2,840	42.6%
Ambulatory Difficulty	1,324	19.8%
Self-care Difficulty	1,266	19.0%
Independent Living Difficulty	2,247	33.7%
Total Disabilities for Ages 65 and Over	**4,290**	**39.0%**
Hearing Difficulty	1,380	32.2%
Vision Difficulty	719	16.8%
Cognitive Difficulty	1,273	29.7%
Ambulatory Difficulty	3,046	71.0%
Self-care Difficulty	1,238	28.9%
Independent Living Difficulty	2,407	56.1%

Source: U.S. Census Bureau, 2009-2013 American Community Survey.

Developmentally Disabled Persons

According to Section 4512 of the Welfare and Institutions Code a "developmental disability" is defined as a disability that originates before an individual attains age 18 years, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual which includes mental retardation, cerebral palsy, epilepsy, and autism. This term also includes disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, but does not include other handicapping conditions that are solely physical in nature.

Many developmentally disabled persons can live and work independently within a conventional housing environment; however, more severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person's living situation as a child to an appropriate level of independence as an adult.

The State Department of Developmental Services (DDS) currently provides community-based services to approximately 256,000 persons with developmental disabilities and their families through a statewide system of regional centers, developmental centers and community-based facilities. The Regional Center of the East Bay provides point of entry to services for people with developmental disabilities. The center is a private, nonprofit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families.

Table 5.38 provides a summary of persons with developmental disabilities in Richmond. Persons with developmental disabilities represent less than one percent of the City's population.

There are a number of housing types appropriate for people living with a development disability: rent subsidized homes, licensed and unlicensed single-family homes, inclusionary housing, Section 8 vouchers, special programs for home purchase, HUD housing, and SB 962 homes. The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities

represent some of the types of considerations that are important in serving this need group. Incorporating 'barrier-free' design in all, new multifamily housing (as required by State and Federal Fair Housing laws) is especially important to provide the widest range of choices for disabled residents. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income.

In order to assist in the housing needs for persons with developmental disabilities, the City will implement programs to provide incentives for residential developments that make 15 percent or more of their total units accessible to persons with disabilities, pursue funding sources for persons with special needs and disabilities, inventory single-room occupancy units (SROs) which provide an important opportunity for housing for persons with disabilities, and continue the City's Home Improvement Loan Program, which will give special consideration for seniors and persons with disabilities.

Table 5.38
Developmentally Disabled Residents by Age

	Age		
Zip Code Area	**0-17 Years**	**18+ Years**	**Total**
94530	41	44	**85**
94801	96	46	**142**
94802	0	<10	**<10**
94804	121	171	**292**
94805	38	39	**77**
94807	0	<10	**<10**
94808	<10	0	**<10**
Total	**301***	**310***	**611***

*Totals assumed that <10 was a value of 5 persons.

Source: California Department of Developmental Services, December 2014.

Homeless Persons and Families

Homeless individuals and families have perhaps the most immediate housing need of any group. They also have one of the most difficult sets of housing needs to meet, due to both the diversity and complexity of the factors that lead to homelessness, and to potential community opposition to the sitting of facilities that serve homeless clients. California State law requires that Housing Elements estimate the need for emergency shelter for homeless people.

The Contra Costa County Homeless Continuum Care Annual Report provides program and demographic data for homeless persons. According to the most recent report, between July 2013 and June 2014, approximately 8,409 people used homeless services in Contra Costa County. Of these consumers, about half (48 percent) were between the ages of 25 and 54. Almost a quarter (24 percent) were under 17 years of age. The remaining percentage was comprised of consumers between the ages of 18 and 24 (10 percent) and above the age of 55 (18 percent). Additionally, the 2014 Point in Time Count estimated that at a given point in time there are 2,263 sheltered homeless individuals throughout Contra Coast County. The Contra Costa Inter-Jurisdictional Council on Homelessness provided a homeless count for unsheltered individuals in the City of Richmond of 142. While portions of the homeless community are visible, a segment of the population may not be seen on a street corner or receive services from a shelter or other community organization. Some persons and families may live in a car, a motel, or stay on a friend or relative's couch.

Three factors are indicated in the 2004 Ending Homelessness in Ten Years: A County-wide Plan for the Communities of Contra Costa County as the root causes of homelessness:

- low incomes and high housing costs;
- failure to identify at-risk households and link them with preventative services; and
- lack of housing or linkages to support services for those discharged from public institutions.

Table 5.39 lists a variety of resources in and/or available to the homeless in the City of Richmond. These resources provide housing options ranging from emergency shelter to transitional housing and also offer services including meals, jobs training, housing assistance, supportive services, basic life skills, and a variety of services for homeless persons.

Bay Area Rescue Mission (maximum stay of four to six weeks), Brookside Shelter, Richmond House (overnight stay), and Richmond Endeavor (overnight stay) each operate a permanent facility that provides services to the homeless community, including year-round beds, meals, case management, housing and job assistance and other general services. Emergency motel vouchers are available through the Contra Costa Crisis Center while Greater Richmond Interfaith provides a winter shelter program. Deliverance House operates a transitional housing facility with maximum stays from 12 to 18 months and supportive services, including meals, and job, life and basic skills training. Lodging and meals are also offered by several local churches.

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Table 5.39
Services and Housing Resources for Homeless Persons and Families in Richmond

Facility	Location	Capacity	Services
Bay Area Rescue Mission	200 Macdonald Avenue, Richmond	50-bed facility year-round, individual and families, maximum stay of four to six weeks	Meals, Case Management, Housing and Jobs Assistance, Referral Services
Brookside Shelter	847 C Brookside Drive, Richmond	Assists approximately 100 adults, and youth aged 14 to 17 when space is available, on a year-round basis	Meals, On-job training, Life Skills Training, Case Management, Referral Services, Housing Assistance
Churches	Various	Varies	Lodging and Meals
Contra Costa Crisis Center Homeless Hotline	Various	Provides Emergency Motel Vouchers	24-Hour Homeless Hotline, Referral to Assistance Organizations
Deliverance House	113 Macdonald Avenue, Richmond	Transitional housing with four beds, women and children (0-8 years) only, 12-18 month maximum stay	Supportive Services, Showers, Laundry Facilities, Meals, Job Training, Living and Basic Skills Training
Greater Richmond Interfaith Program Services	165 22nd Street, Richmond	75-bed facility year-round available for families only	Free Meals Year-Round, Showers, Voice Mail, Winder Shelter Program including Meals, Referral Services, Counseling and Care Management, Other Services
Health Housing and Integrated Services, Contra Costa County Health Services	101 Broadway Avenue, Richmond	Capacity to service 75 individual men and women, including a specialized program for those 18-21. Residents are allowed to stay up to 120 days if involved in case management.	24-hour facility that emphasizes case management and wrap-around services. Meals, laundry facilities, mail, and telephones all also provided.
Nevin House, Anka Behavioral Health	3215 Nevin Avenue, Richmond	16-bed residential treatment for homeless mentally ill.	Program serving dually diagnosed adults age 18 and older who need 24-hour therapeutic care.
Richmond Endeavor	501 9th Street, Richmond	Overnight lodging and meals for twelve persons	Multi-Assistance, Showers, Laundry Facilities, Lockers, Food Pantry, Mail, Drop-In Day Room, Computer Training, Job Assistance
Richmond House	735 12th Street and various other locations in Richmond	Three 6-bed facilities	Multi-Assistance, Transitional Housing, Job Assistance

Source: City of Richmond, HomelessShelterDirectory.org.

Agricultural Workers

Agricultural workers are traditionally defined as persons whose primary incomes are earned through seasonal agricultural work. They have special housing needs because they earn lower incomes than many other workers and move throughout the season from one harvest to the next. The 2008-2010 American Community Survey indicates that of the estimated employed persons in the City of Richmond (46,233 persons), 0.2 percent, or 90 persons, were estimated to have been employed in the farming, fishing, and forestry sector. Because Richmond is not agricultural area, the number of agricultural workers in the City is not expected to increase in the near or long-term future. Therefore, given the extremely limited presence of agricultural workers in the community, the city has no specialized housing programs targeted to this group beyond overall programs for housing affordability and no additional housing is or would be needed for agricultural workers in Richmond.

Regional Housing Needs Allocation

California's Housing Element law (Government Code §65584) requires that each city and county develop local housing programs to meet its "fair share" of existing and future housing needs for all income groups, as determined by the jurisdiction's Council of Governments. This "fair share" allocation concept seeks to ensure that each jurisdiction accepts responsibility for the housing needs of not only its resident population, but also for the jurisdiction's projected share of regional housing growth across all income categories. Regional growth needs are defined as the number of units that would have to be added in each jurisdiction to accommodate the forecasted number of households, as well as the number of units that would have to be added to compensate for anticipated demolitions and changes to achieve an "ideal" vacancy rate.

A Regional Housing Needs Plan is mandated by the State of California for regions to address housing issues and needs based on future growth projections for the area. In the nine-county Bay Area, in which Richmond is located, the plan is developed by the Association of Bay Area Governments (ABAG), and is called the Regional Housing Needs Allocation- for the San Francisco Bay Area: 2014-2022, or the 2014-2022 RHNA The plan allocates to cities and the unincorporated county their "fair share" or Regional Housing Needs Allocation of the region's projected housing needs. The Regional Housing Needs Plan allocates the RHNA based on household income groupings over a seven-year projection period for each specific jurisdiction's Housing Element. As discussed in the Introduction, the 2014-2022 RHNA covers the planning period from January 31, 2015 to January 31, 2023.

In allocating the region's future housing needs to jurisdictions, ABAG is required to take the following factors into consideration:

- Market demand for housing
- Employment opportunities
- Availability of suitable sites and public facilities
- Commuting patterns
- Type and tenure of housing
- Loss of units in assisted housing developments
- Over-concentration of lower income households
- Geological and topographical constraints

The intent of the RHNA is to ensure that local jurisdictions address not only the needs of their immediate areas, but also fill the housing needs for the entire region. Additionally, a major goal of the RHNA is to assure that every community provides an opportunity for a mix of affordable housing to all economic segments of its population. The RHNA jurisdictional allocations are made to ensure that adequate sites and zoning are provided to address existing and anticipated housing demands during the planning period and that market forces are not inhibited in addressing the housing needs for all facets of a particular community.

Table 5.40 provides the RHNA target for the planning period 2015 to 2023 (also referred to as "basic construction needs") for each of the four household income groups for the City of Richmond. Also presented in **Table 5.40** is a summary of units constructed or approved in the City during the planning period and the remaining RHNA need.

ABAG's 2014-2022 RHNA for the City of Richmond is 2,435 new housing units. The City of Richmond needs to provide adequate sites for 743 housing units affordable to very low and low-income households, or 30.5 percent of all new housing units. In addition, sites accommodating 1,692 housing units available to moderate and above moderate income households will need to be provided.

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Since January 1, 2014 a total of ~~714~~ 892 housing units have been approved, permitted and/or completed in the City of Richmond. Of those units, ~~512~~ 601 were for very low and low-income households, and ~~192~~ 291 for moderate and above moderate-income households. **Table 5.56,** included the housing Opportunities Section, identifies the housing funding source and units by income level for projects approved, permitted and/or completed since 2014, which count towards meeting the RHNA for the current cycle. All of the funding sources ensure affordability.

The City will continue to provide sites for a mix of single-family, multifamily and mixed-use housing, supported by a variety of programs to enhance affordability, to accommodate its RHNA and contribute towards addressing the growing demand for housing in the Bay Area.

Table 5.40
2014-2022 Regional Housing Needs Allocation

Income Category	New Construction Need		Units Built, Under Construction, or Approved since 2014	Remaining Need
	Number	Percent		
Very Low	438	18.0%	164	274
Low	305	12.5%	437	(132)
Moderate	410	16.8%	0	410
Above Moderate	1,282	52.6%	291	991
Total	**2,435**	**100.0%**	**892**	**1,543**

Source: Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022.

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Housing Constraints

The provision of adequate and affordable housing can be constrained by a number of factors. This section discusses and analyzes the various governmental and non-governmental constraints that may serve as potential impediments to housing development and improvement in Richmond.

The production of housing is a complicated process affected by a number of economic, and private and government influences. Among these influences are the availability and cost of land, zoning and other development standards, availability and cost of providing infrastructure and services, the cost and availability of credit, the number of potential consumers with adequate incomes to purchase or rent housing, and the cost and availability of labor and materials. In addition to these measurable influences are subtler, but often less quantifiable factors, such as community attitudes, environmental mitigation requirements and even builder perceptions of the market.

The purpose of this section is to identify those measurable factors that have the greatest impact on the cost and availability of housing.

Governmental Constraints

Actions or policies of numerous governmental agencies, whether involved directly or indirectly in the housing market, can impact the ability of the private sector to provide adequate housing to meet consumer demands.

State agencies and local government compliance with state statutes can complicate the development of housing. Statutes such as the California Environmental Quality Act (CEQA) and sections of the Government Code relating to rezoning and general plan amendment procedures can also act to prolong local government review and approval of development proposals. In many instances, compliance with these requirements establishes time constraints that cannot be altered by local governments.

Local governments exercise a number of regulatory and approval powers that directly impact residential development within their respective jurisdictional boundaries. These powers establish the location, intensity and type of units that may or may not be developed. The City's General Plan, zoning regulations, project review and approval procedures, development and processing fees, utility infrastructure, public service capabilities, and development attitudes all play important roles in determining the cost and availability of housing opportunities in Richmond.

Land Use Controls

The City of Richmond determines the number of housing units that can be built per acre through its General Plan and Zoning Ordinance. The General Plan establishes the location and amount of land allocated to residential development and the intensity of development permitted. The Zoning Ordinance establishes specific site development standards consistent with the General Plan including, but not limited to open space, building orientation, massing, setbacks, and parking requirements.

General Plan Land Use Designations

The City adopted a comprehensive update to its General Plan in April 2012. The Richmond General Plan 2030 promotes mixed-use, high-density, infill development in Richmond's Downtown and along its major commercial and transit corridors. This sustainable land use policy will facilitate increased housing production by allowing for lower development costs and expedited environmental review. It will also improve quality of life for residents because new housing will be located closer to jobs, transportation and amenities such as parks, schools, restaurants, and entertainment. Residential development is permitted in 11 of the

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18 General Plan's land use designations. **Table 5.41** describes each of the General Plan's residential land use designations and **Table 5.42** lists the permitted housing densities, development intensities and height restrictions for each designation.

Zoning Districts

The City's current residential zoning districts and associated development standards are shown in **Tables 5.43 and 5.44.** A comprehensive update of the City's Zoning Ordinance is currently underway to make it consistent with the recently adopted Richmond General Plan 2030. A primary objective of the Update is to replace the suburban and auto-oriented development standards currently in the Zoning Ordinance with those that promote and facilitate mixed-use, higher-density and transit-oriented developments consistent with the Richmond General Plan 2030.

As part of the first phase of the update, the City is near adoption of the Richmond Livable Corridors (RLC) Form-Based Code (FBC) for three of the City's major commercial corridors—Macdonald Avenue, 23rd Street and portions of San Pablo Avenue and the surrounding areas. These areas are also identified as Priority Development Areas by the Metropolitan Transportation Commission (MTC) and ABAG. The FBC includes area-specific architectural standards and development standards that reflect the vision of the Richmond General Plan 2030. Information on the Richmond Livable Corridors project can be reviewed and downloaded at www.ci.richmond.ca.us/livablecorridors.

The Zoning Ordinance Update and how it intends to remove constraints to housing development is described further below.

Parking Requirements

The City's residential parking requirements are based upon unit type and size. As shown in **Table 5.45**, the City typically requires two spaces per residential unit, however, the requirement is reduced for second dwelling units, multifamily units of two bedrooms or less, and uses that serve tenants with low vehicle ownership rates such as senior housing and nursing homes.

Parking located in the front half of a lot or within 25 feet of the side street for corner lots must be covered with a garage, carport, or other roofed structure, except parking spaces for second dwelling units, which may be provided on a parking pad or driveway. Tandem parking may be used to meet residential parking requirements upon approval from the Zoning Administrator or Design Review Board if site conditions make side-by-side parking difficult or infeasible.

The City recognizes that off-street parking requirements add to the cost of housing development. To address this, the Richmond General Plan 2030, includes an implementation action (Land Use Action LU6.A – Parking Requirements) requiring the City to reduce or eliminate parking requirements in the City's Priority Development Areas (PDAs). As shown on the map in Appendix B, Richmond has four PDAs – North Richmond, Central Richmond, San Pablo Avenue, and South Richmond. These PDAs have enormous infill development potential and can accommodate higher-density mixed-use developments that are less car-dependent due to existing or planned transportation infrastructure. Parking requirements will be reduced or eliminated as part of the comprehensive update to the City's Zoning Ordinance that is currently underway.

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Emergency Shelters and Transitional and Supportive Housing Facilities

Currently, homeless shelters and transitional housing facilities are permitted in the City's residential and commercial zoning districts. ~~As shown in **Tables 5.46** and **5.47**, small homeless shelters and transitional housing facilities (10 or less persons) are allowed by right in all of the City's single-family and multifamily zones and larger facilities (11 or more persons) are conditionally allowed in all of the City's multifamily and commercial zones.~~ Concurrent with this Housing Element Update, the City is amending the Zoning Ordinance to ensure compliance with Senate Bill 2 (SB-2) and SB 745, which requires zoning to facilitate emergency shelters and limits a city's ability to deny emergency shelters and transitional and supportive housing under the Housing Accountability Act. As part of the SB-2 Zoning Amendment, the Ordinance's definitions for Transitional and Supportive Housing and Emergency Shelters will be revised to reflect the appropriate Government Code definitions and eliminate extraneous definitions. Per SB-2, Transitional Housing and Supportive Housing will be listed as a permitted residential use in all zones where residential uses are allowed. Consistent with previous regulations for homeless shelters, Emergency Shelters will be permitted uses with a 10 person bed limit in all residential zoning districts, and a 50 person bed limit in the Central Business zoning district (CB). Additional criteria applied to Emergency Shelters (siting, parking etc.) are in compliance with the statute. **Tables 5.46, 5.47 and 5.48** reflect the amended Zoning Ordinance in compliance with SB-2[1].

The information on homeless persons and families and resources for that segment of the population in housing needs section and the analysis of existing requirements related to the development of homeless and transitional shelters above informs the related proposed Housing Element Programs and Objectives. The City has included Action H-3.6.2 (Funding for Emergency, Transitional and Supportive Housing) to support the pursuit of funding for facilities and programs that serve the homeless.

Manufactured and Factory-Built Housing

The City allows manufactured housing in any residential district where single-family detached units are permitted. Manufactured housing is subject to the same development standards and design review process as conventional or stick-built structures. While the City permits manufactured housing in residential districts consistent with State requirements, the City's Zoning Ordinance currently does not explicitly identify manufactured housing as an allowed use. As part of the comprehensive update to the City's Zoning Ordinance that is currently underway, the City will explicitly list manufactured housing as an allowed use in all of its single-family and multifamily residential zoning districts. No other changes affecting manufactured or factory-built housing are anticipated as part of the comprehensive update to the City's Zoning Ordinance that is currently underway.

Single-Room Occupancy (SRO) Units

Single-Room Occupancy (SRO) units, referred to as "rooming and boarding houses" in the City's Zoning Ordinance, are one-room units usually 100-250 square feet in area occupied by a single individual. Generally SRO units have shared kitchen and bathroom facilities and are rented on a weekly or monthly basis. Because SROs typically have unusual site development features or operating characteristics that require special consideration, they are not allowed as a matter of right. As shown in **Tables 5.46** and **5.47**, SROs are conditionally permitted in the MFR-2, MFR-3, MFR-4, C-1, C-2, C-3, C-B, and C-C zoning districts. No other changes related to SRO units are anticipated as part of the comprehensive update to the City's Zoning Ordinance that is currently underway.

Subdivision Standards

The City's subdivision standards are set forth in Chapter 15.08 of the Richmond Municipal Code. These include standards for lots and blocks, public and private streets, storm drains, sanitary sewers, landscaping,

[1] The Zoning Ordinance Amendment to achieve compliance with SB-2 was adopted by City Council on [to be completed].

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signage, street lighting, and requirements for dedications. The City's subdivision standards are very typical and do not unduly constrain housing production. However, these standards will need to be revised in order to implement the Land Use and Circulation Elements of the recently adopted Richmond General Plan 2030. The City's subdivision ordinance, Chapter 15.08 will be updated as part of the City's comprehensive Zoning update. The current standards were meant to re-enforce suburban and auto-oriented development patterns. New standards will be developed to ensure that future infrastructure improvements complement mixed-use, high-density, infill development and support alternative modes of transportation such as walking and bicycling. The new standards will promote more pedestrian and bike-friendly streets by requiring fewer car lanes, wider sidewalks, mid-block crossings, bulb-outs, dedicated bike lanes, and street furniture for use by pedestrians and bicyclists. The new standards will also increase street connectivity by requiring multiple direct connections between local amenities.

Inclusionary Housing Ordinance

Zoning Ordinance Section 15.04.810.060 sets forth requirements for the inclusion of affordable housing in all new housing developments of 10 or more units. Developers can meet the City's inclusionary housing requirement by:

- Making 17 percent or more of housing units available to moderate-income households; or
- Making 15 percent or more of housing units available to low-income households; or
- Making 10 percent or more of housing units available to very low-income households; or
- Making 12.5 percent or more of housing units available to a combination of very low and low-income households; or
- Making 25 percent or more of housing units available to very low or low-income senior households; or
- Paying the in-lieu fee towards the City's very low and low-income affordable housing fund.

Inclusionary housing requirements may increase development costs. However, the City offers developers the following incentives and concessions to offset such costs:

- A density bonus as provided by California Government Code §65915(b) and Chapter 15.04.810.050 of the Richmond Municipal Code.
- Flexibility in development standards.
- Assistance in obtaining available federal and state subsidies.
- Waiver of building permit and other City fees.
- Expedited entitlement review and permit processing.

All units provided through the Inclusionary Housing Ordinance, rental or for-sale, are required to have a 30-year term of affordability. The affordability term is memorialized in an Inclusionary Housing Agreement recorded at the County for the property. However, for-sale inclusionary units may be resold during the affordability term if the seller deposits the difference between the market-rate and inclusionary price into the City's affordable housing fund. The 30-year of affordability does not transfer to the market-rate unit buyer.

Processing and Permit Procedures

Richmond's Zoning Ordinance, Chapter 15.04 of the Richmond Municipal Code, lists the types of residential land uses that are permitted and conditionally permitted in each of the City's zoning districts. Permitted land uses are allowed as-of-right without discretionary review as long as the proposed land use complies with the development and performance standards set forth in Zoning Ordinance Sections 15.04.830 and 15.04.840. Conditionally permitted land uses require a public hearing and issuance of a Conditional Use Permit (CUP). The Planning Commission may grant approval of a CUP if the following findings can be made:

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1. The location of the proposed conditional use is in accordance with the General Plan of the City of Richmond;
2. The location, size, design and operating characteristics of the proposed use will be compatible with and will not be detrimental to the public health, safety or welfare of persons residing or working on or adjacent to the proposed conditional use and the surrounding neighborhood;
3. The proposed use complies with all applicable provisions of this chapter; and
4. The site of the proposed use is adequately served by highways, streets and other public service facilities.

The CUP application review fee for residential land uses is currently $4,500. The Planning Commission's decision to approve, conditionally approve, or deny a requested CUP can be appealed to the City Council. The appeal fee is currently $150. **Tables 5.44, 5.45 and 5.46** summarize the types of residential land uses that are allowed and conditionally allowed in Richmond's residential, commercial and other zoning districts. The City currently does not have an administrative use permit process for residential land uses. However, the City will consider establishing such a process as part of the Zoning Ordinance Update.

Design review with a public hearing is required for residential building projects over 500 square feet. The Zoning Administrator approves design review permits for single-story residential additions, single-family homes, and duplexes not exceeding 1,200 square feet in size. The City's Design Review Board approves design review permits for larger single-family and multifamily residential structures. The Design Review Board may grant approval of a Design Review Permit if the following findings can be made:

1. The proposed design is suitable for its purpose, is harmonious with and relates properly to the surrounding neighborhood, contiguous parcels, and the site itself;
2. The location, size, design, and characteristics of the proposed project will be compatible with and will not be detrimental to the public health, safety, or welfare of persons residing in or working in or adjacent to the proposed project;
3. The overall design will be of a quality that will preserve the integrity of and upgrade the existing neighborhood; and
4. The design of the proposed project is in accordance with the General Plan of the City of Richmond and all applicable provisions of the Zoning Ordinance.

The Design Review Board can impose reasonable conditions of approval to ensure projects are compatible with the surrounding neighborhood and are not detrimental to the public health, safety, and welfare. Design review fees for residential projects range from $2,500 for a single-story single-family residence (1,200 sq. ft. or less) and $10,500 for a multifamily apartment or condominium project of 11 or more units. The City currently offers a pre-application process for developers wanting to obtain early project design input and expedite the review of large development projects. The pre-application fee is $5,900 and was widely popular during the development boom. As part of the Zoning Ordinance Update, the City will expand the types of residential building projects eligible for over-the-counter and administrative design review.

Development Review Time Frames

The time required to process a project varies greatly from one project to another and is directly related to the size and complexity of the project, and the number of actions or approvals needed to complete the process. **Table 5.49** identifies the processing timeframes for different types of residential project review. It should be noted that each project does not necessarily require each type of review. For example, small projects that are consistent with the General Plan and zoning designations do not generally require Environmental Impact Reports, General Plan Amendments, Rezones, or Variances. Also, certain review and approval procedures may run concurrently. The City encourages the joint processing of related applications for a single project. As an example, a rezone request may be reviewed in conjunction with the required site plan, a tentative parcel

map and any necessary variances. Such procedures save time, money and effort for both the public and private sector and could substantially decrease the costs for the developer.

Required application materials for single family, second dwelling units, subdivisions/condominiums, and multifamily projects are identified in **Table 5.50**. Upon submittal, City staff reviews the application to determine whether it is complete based on submittal requirements established in the City's Zoning Ordinance and application submittal checklists. Once the application is deemed complete, the project is reviewed by the various City departments to ensure compliance with applicable City codes. The Design Review Board then reviews the project and an environmental review is completed for the project. After the Design Review Board approves the project, the project has completed the environmental review process and the applicant has paid proper fees to the City, building permits are issued and the project can proceed.

Table 5.51 identifies the typical processing procedures and timeframes for residential projects. Depending on the complexity of the project, a single-family project is typically approved in 5 to 8 weeks from date of plan submission. Multifamily projects take between 1 to 6 months depending on the size of the project. For larger multifamily projects, the additional time and public hearing requirements can pose as a constraint to the multifamily development.

Local Permit Processing Fees

Two aspects of local government have been criticized as placing undue burdens on the private sector's ability to build affordable housing: (1) the fees or other exactions required of developers to obtain project approval and (2) the time delays caused by the review and approval process. Critics contend that lengthy review periods increase financial and carrying costs and that fees and exactions increase expenses. These costs are in part passed onto the prospective homebuyer in the form of higher purchase prices or rents.

Fees, land dedications, or improvements are also required in most instances in order to provide an adequate supply of public parkland and to provide necessary public works such as streets, sewers, and storm drains to support the new development. While such costs are charged to the developer, most, if not all additional costs are passed to homebuyers and tenants in the form of higher sales prices or rents. The significance of the necessary public works improvements in determining final costs varies greatly from project to project. The improvements are dependent on the amount of existing improvements and nature of the project.

State law requires that local permit processing fees charged by local governments must not exceed the estimated actual cost of processing the permits. **Table 5.52** shows many of the development fees that would apply to various types of new projects in the City. These are application and permit fees that the City of Richmond Planning and Building Services Department charges for various types of development approvals or reviews.

Table 5.53 estimates city fees and development costs to be collected for a single-family house and a 50-unit multifamily development. City fees include all planning, building, impact, and new utility (water and sewer connection) fees that would be assessed for new construction. The city fees represent about 14.2 percent of total development cost for a single-family unit and 10.1 percent for a multifamily unit, which are similar to other nearby communities. Planning and building fees appear to have a minimal impact on housing costs, while impact and utility fees appear to have a greater impact. Planning and building fees represent 17 percent of all fees charged for a single-family unit and 5 percent for a multifamily unit. Impact fees represent 44 percent of all fees charged for a single-family unit and 59 percent for a multifamily unit. Utility fees represent 39 percent of all fees charged for a single-family unit and 35 percent for a multifamily unit.

Building Codes and Code Enforcement

The City of Richmond, in accordance with the State housing law, establishes certain minimum requirements for residential construction. The City's Planning and Building Services Department administers building

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codes under the 2010 California Building Code. The City has made several amendments to the City's building code based on the 2010 California Building Code. These amendments are not considered a constraint to housing production, and amendments to the code have been made in order to comply with the minimum building standards of the State of California. The Police Department's Code Enforcement Division works closely with the Planning and Building Services Department, the City of Richmond as Successor Agency to the Redevelopment Agency, the City Manager's Office, and Police Department to keep the city attractive and safe. These efforts include the removal of unsightly and unhealthy nuisances including substandard structures, weeds, junked or abandoned vehicles, and trash. The Code Enforcement Division accomplishes these tasks through both pro-active and complaint driven enforcement. The following describes the City's standard code enforcement procedure:

1. Residents or City staff submit a complaint to Code Enforcement via telephone or email;
2. A code enforcement officer is assigned and investigates the complaint;
3. A notice of abatement is prepared and filed with the Contra Costa County Recorder's Office;
4. If the property is vacant, an invoice or work order is prepared and the property is abated;
5. If the property is occupied, the City Attorney's Office obtains a forcible entry warrant prior to abatement;
6. The property is re-inspected to determine compliance and need for further action; and
7. If the property owner files an appeal, all abatement activity are ceased until Board of Appeals renders a decision.

Code enforcement in the City continues to have an increasingly positive impact on the maintenance and preservation of affordable and other housing in the City. The City doesn't anticipate future changes that will further constrain housing development.

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Table 5.41
General Plan Residential Land Use Descriptions

Designation	Description
Hillside Residential	Includes attached and detached single-family housing on subdivided parcels and clustered multi-family residential on developable portions of hillside parcels below the 400-foot elevation. Hillside development should address key environmental challenges and constraints such as steep slopes and soil erosion. Neighborhood mixed-use development is allowed at neighborhood nodes.
Low Density Residential	Includes attached and detached single-family residential development in level to moderately sloped areas. Neighborhood mixed-use development is allowed at neighborhood nodes. Existing multi-family residential structures may remain and may be improved without increasing densities, or may revert to single-family residential uses.
Medium Density Residential	Includes single and multi-family housing types such as one to three-story garden apartments, historic bungalows and cottages on small lots, townhouses and stacked flats. Neighborhood mixed-use development is allowed at neighborhood nodes.
Neighborhood Mixed-Use	Includes residential and neighborhood-serving retail uses such as shops, markets, professional offices, boutiques, barber shops, beauty salons and restaurants. Residential developmentabove ground floor commercial is strongly encouraged. Development is emphasized at neighborhood nodes.
Medium Density Mixed-Use (Residential Emphasis)	Includes mixed-use development with commercial uses encouraged at street-level along corridors. However, residential-only development is allowed and may include condominiums, townhouses or apartments. Commercial-only development is not allowed. Projects with commercial components must also include a residential component. New development is required to have a pedestrian-oriented building design with minimal setbacks and parking located to the sides or rear of buildings.
Medium Density Mixed-Use (Commercial Emphasis)	Includes mixed-use development with commercial or office/light industrial uses encouraged at street-level along corridors*. This classification is distinguished from the Medium-Density Mixed-Use (Residential Emphasis) land use classification in that it allows residential-only or commercial-only development. Residential uses may include condominiums, townhouses or apartments and commercial uses may include small to large-scale retail or office. New development must have a pedestrian-oriented building design with minimal setbacks and parking located to the sides or rear of buildings preferred.
Medium-Intensity Mixed-Use (Community Nodes and Gateways)	Includes mid-rise mixed-use development at key community nodes and gateways with commercial uses strongly encouraged at street-level. Commercial development must have a pedestrian-oriented building design with setbacks allowing for public amenities and parking located behind buildings.
High-Intensity Mixed-Use (Major Activity Center)	Includes mid and high-rise mixed-use development at major activity centers to serve the community and region. Office, retail, entertainment and residential uses are allowed. Areas with this designation are characterized by streets with minimal setbacks, wide sidewalks and public spaces that cater to pedestrians and transit riders. Medium-Intensity Mixed-Use (Commercial Emphasis) is allowed within this land use designation.
Regional Commercial Mixed Use	Includes mid-rise mixed-use development characterized by compact and pedestrian-friendly environments. Office, retail and residential uses are allowed in mid-rise buildings.
Live/Work	Includes lofts and apartments connected to small-scale production spaces as well as office and storefront retail in transitional areas where it can be demonstrated that the use does not conflict with adjacent uses.

Source: Richmond General Plan 2030 Land Use and Urban Design Element, Planning and Building Services Department.

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Table 5.42
Adopted General Plan Residential Land Use Designations and Development Standards

General Plan Designation	Density	Intensity	Height
Hillside Residential	Up to 5 du/ac	Not applicable	Up to 35 feet
Low-Density Residential	5 to 15 du/ac	Not applicable	Up to 35 feet
Medium-Density Residential	10 to 40 du/ac	Not applicable	Up to 35 feet
Neighborhood Mixed-Use	10 to 30 du/ac	0.25 to 0.5 FAR	Up to 45 feet
Medium-Density Mixed-Use (Residential Emphasis)	15 to 50 du/ac	Up to 0.5 FAR	Up to 45 feet
Medium-Intensity Mixed-Use (Commercial Emphasis)*	Up to 50 du/ac	0.25 to 2.0 FAR	15 to 55 feet
Medium-Intensity Mixed-Use (Community Nodes & Gateways)	Up to 75 du/ac	0.5 to 2.0 FAR	15 to 55 feet
High-Intensity Mixed-Use (Major Activity Centers)*	Up to 125 du/ac	1.0 to 5.0 FAR	15 to 135 feet
Regional Commercial Mixed-Use	Up to 50 du/ac	0.5 to 2.0 FAR	15 to 55 feet
Live Work	15 to 50 du/ac	0.25 to 0.5 FAR	Up to 55 feet
Agriculture	Up to 0.20	Not applicable	Up to 35 feet

* These General Plan Land Use Designations permit commercial-only development; however, pursuant to program H-1.2.2, the City will only approve those commercial-only developments that do not result in an overall loss of the City's capacity to meets its Regional Housing Need Allocation (RHNA) for the current planning period.

Source: Richmond Planning and Building Services Department.

Table 5.43
Current Single-Family Residential Zoning Districts and Development Standards

	Single-Family Residential Zoning Districts		
Development Standard	SFR-1	SFR-2	SFR-3
Min. Lot Size	11,000 sq. ft.	6,000 sq. ft.	5,000 sq. ft.
Min. Lot Width	70 ft.	60 ft.	50 ft.
Min. Lot Area (per unit)	11,000 sq. ft.	6,000 sq. ft.	3,750 sq. ft.
Height	35 ft.	35 ft.	35 ft.
Front Setback	25% of lot depth (25 ft. max.)	20% of lot depth (20 ft. max.)	20% of lot depth (20 ft. max.)
Side Setback	14% of lot width (3 ft. min./10 ft. max.)	10% of lot width (3 ft. min./5 ft. max.)	10% of lot width (3 ft. min./5 ft. max.)
Rear Setback	25% of lot depth (25 ft. max.)	20% of lot depth (20 ft. max.)	20% of lot depth (20 ft. max.)
Interior Yard Space	16% of lot area	16 to 20% of lot area	16 to 20% of lot area

Source: Richmond Planning and Building Services Department.

Table 5.44
Current Multifamily Residential Zoning Districts and Development Standards

Development Standard	Multifamily Residential Zoning Districts			
	MFR-1	**MFR-2***	**MFR-3**	**MFR-4**
Min. Lot Size	5,000 sq. ft.**	5,000 sq. ft.**	5,000 sq. ft.**	5,000 sq. ft.**
Min. Lot Width	50 ft.	50 ft.	50 ft.	50 ft.
Min. Lot Area (per unit)	1,650 sq. ft.	1,250 sq. ft.	800 sq. ft.	750 sq. ft.
Height	35 ft.	35 ft.	45 ft.***	45 ft.***
Front Setback	15% of lot depth (15 ft. max.)	10% of lot depth (10 ft. min.)	10% of lot depth (10 ft. min.)	10% of lot depth (10 ft. min.)
Side Setback	10% of lot width (3 ft. min/5 ft. max.)	10% of lot width (3 ft. min/5 ft. max.)	10% of lot width (3 ft. min/5 ft. max.)	10% of lot width (3 ft. min/5 ft. max.)
Rear Setback	20% of lot depth (20 ft. max.)	20% of lot depth (20 ft. max.)	20% of lot depth (20 ft. max.)	20% of lot depth (20 ft. max.)
Private Open Space (per unit)	75 sq. ft.	60 sq. ft.	60 sq. ft.	60 sq. ft.
Common Open Space (per unit)	200 sq. ft.	200 sq. ft.	100 sq. ft.	100 sq. ft.
Additional Open Space (per unit)	100 sq. ft. (common or private)	100 sq. ft. (common or private)	100 sq. ft. (common or private)	100 sq. ft. (common or private)

*Residential developments permitted in the C-1, C-2, C-3, C-B, and CC zoning districts are subject to the development standards for the MFR-2 district.

** Where a lot has a width of less than fifty feet (50') or an area of less than five-thousand (5,000) square feet and was recorded under one ownership and has not subsequently been merged nor consolidated through recordation with an abutting lot under one ownership, nor provides required interior yard space, parking or other required amenities to an existing dwelling, such lot may be occupied by any use permitted in this section except that: a) any such lot that is thirty-three (33) feet or less in average width shall constitute a residential building site for no more than one single-family dwelling unit; and b) any such lot that is wider than thirty-three (33) feet but less than thirty-seven and one-half (37.5) feet in average width, shall constitute a residential building site for no more than two dwelling units.

***Planning Commission may allow up to 75 feet height limit on larger parcels (7,500 sq. ft. or more) with approval of a Conditional Use Permit.

Source: Richmond Planning and Building Services Department.

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Table 5.45
Parking Requirements

Type of Use	Parking Requirement
Single Family	2 spaces per unit
Duplex	2 spaces per unit
Multifamily (3 or more units)	
1 bedroom	1 space per unit
2 bedroom	1.5 spaces per unit
3 or more bedrooms	2 spaces per unit
Guest Parking	1 space per 5 units
Senior Multifamily[a]	1 space per every 2 units, plus 1 space for each employee per main shift
Convalescent Hospital/Nursing Home	1 space for every 3 patient beds
Rooming House	1 space for every 2 bedrooms
Live/Work	Same as for similar commercial/ industrial use, Min. 2 spaces per unit
Second Dwelling Unit	1 space per unit

a. Parking requirements may be modified with conditional use permit approval.
Source: City of Richmond Zoning Ordinance, 2011.

Table 5.46[2]
Residential Land Uses Permitted by Residential Zoning District[2]

	Commercial Zoning Districts				
Residential Land Use	**C-1**	**C-2**	**C-3**	**C-B**	**C-C**
Single Family	P	P	P	P	CUP
Manufactured Homes	P	P	P	P	P
Second Dwelling Unit	P	P	P	P	CUP
Duplex	P	P	P	P	CUP
Multifamily Residential	P	P	P	P	CUP
Planned Residential Groups	CUP	CUP	CUP	CUP	CUP
Live/Work	P	P	P	P	P
Caretaker's Residence					
Floating Homes					CUP
Congregate Care, Limited*	P	P	CUP	CUP	
Congregate Care, General	CUP	CUP	CUP	CUP	
Day Care Home, Limited and General*	P	P	P	CUP	
Day Care Centers	P	P	P	CUP	
Emergency Shelters**				P	
Transitional/Supportive Housing***	P	P	P	P	CUP
Correctional and Rehabilitation Facilities			CUP		
Bed and Breakfast Inns	P	CUP	P	CUP	CUP
Hotels or Motels		CUP	P	CUP	CUP
Rooming and Boarding Houses****	CUP	CUP	CUP	CUP	

Note: P = Permitted as-of-right, CUP = Conditional Use Permit required.
*Primary use of the property remains residential
**For 50 beds or fewer only
*** Transitional and Supportive housing permitted consistent with other residential uses allowed in Commercial Zoning Districts
****Indudes single-room occupancy

Source: Richmond Planning and Building Services Department.

[2] Permitted residential land uses presented in tables 5.46, 5.47 & 5.48 reflect the Zoning Ordinance amended to comply with Senate Bill 2 (SB-2) for Emergency Shelters and Transitional and Supportive Housing. The amendment was adopted by City Council on [to be completed].

Table 5.47
Residential Land Uses Permitted by Commercial Zoning District

Residential Land Use	Commercial Zoning Districts				
	C-1	C-2	C-3	C-B	C-C
Single Family	P	P	P	P	CUP
Manufactured Homes	P	P	P	P	P
Second Dwelling Unit	P	P	P	P	CUP
Duplex	P	P	P	P	CUP
Multifamily Residential	P	P	P	P	CUP
Planned Residential Groups	CUP	CUP	CUP	CUP	CUP
Live/Work	P	P	P	P	P
Caretaker's Residence					
Floating Homes					CUP
Congregate Care, Limited*	P	P	CUP	CUP	
Congregate Care, General	CUP	CUP	CUP	CUP	
Day Care Home, Limited and General*	P	P	P	CUP	
Day Care Centers	P	P	P	CUP	
Emergency Shelters**				P	
Transitional/Supportive Housing***	P	P	P	P	CUP
Correctional and Rehabilitation Facilities			CUP		
Bed and Breakfast Inns	P	CUP	P	CUP	CUP
Hotels or Motels		CUP	P	CUP	CUP
Rooming and Boarding Houses****	CUP	CUP	CUP	CUP	

Note: P = Permitted as-of-right, CUP = Conditional Use Permit required.
*Primary use of the property remains residential
**For 50 beds or fewer only
*** Transitional and Supportive housing permitted consistent with other residential uses allowed in Commercial Zoning Districts
****Indudes single-room occupancy

Source: Richmond Planning and Building Services Department.

Table 5.48
Residential Land Uses Permitted by All Other Zoning District

Residential Land Use	Residential Zoning Districts						
	SFR-1	**SFR-2**	**SFR-3**	**MFR-1**	**MFR-2**	**MFR-3**	**MFR-4**
Single Family	P	P	P	P	P	P	P
Manufactured Homes	P	P	P	P	P	P	P
Second Dwelling Unit	P	P	P	P	P	P	P
Duplex			CUP	P	P	P	P
Multifamily Residential				P	P	P	P
Planned Residential Groups	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Live/Work							
Caretaker's Residence							
Floating Homes							
Congregate Care, Limited*	P	P	P	P	P	P	P
Congregate Care, General	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Day Care Home, Limited and General*	P	P	P	P	P	P	P
Day Care Centers	CUP	CUP	CUP	CUP	CUP		
Emergency Shelters**	P	P	P	P	P	P	P
Transitional/Supportive Housing	P	P	P	P	P	P	P
Correctional and Rehabilitation Facilities							
Bed and Breakfast Inns	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Hotels or Motels						CUP	CUP
Rooming and Boarding Houses***					CUP	CUP	CUP

Note: P = Permitted as-of-right, CUP = Conditional Use Permit required.
*Primary use of the property remains residential
**For 10 beds or fewer only
***Includes single-room occupancy

Source: Richmond Planning and Building Services Department.

Table 5.49
Timeframes for Permit Procedures

Type of Review	Processing Time	Approval Body
Environmental Review		
Categorical Exemption	0 to 7 weeks	S/DRB/PC
Negative Declaration	4 to 6 weeks	DRB/PC
Mitigated Negative Declaration	5 to 8 weeks	DRB/PC/CC
Environmental Impact Report	4 to 6 months	DRB/PC/CC
Amendment and Variance Review		
General Plan Amendment or Rezoning	4 to 6 months	CC
Lot Line Adjustment or Parcel Merger	3 to 4 weeks	S
Variance	6 to 7 weeks	PC
Subdivision Review		
Pre-Application Study Session	3 to 4 weeks	DRB/PC/CC
Tentative Parcel Map	6 to 7 weeks	PC
Tentative Subdivision Map	4 to 6 months	PC
Use Permit Review		
Conditional Use Permit	6 to 7 weeks	PC
Over-the-Counter Design Review		
Solar Panel System	1 day	S
Accessory Structure (250 sq.ft. or less)	1 day	S
Small Addition – 500 sq.ft. or less and under 15 ft. height	1 day	S
Administrative Design Review		
Medium Addition – 501 to 1,200 sq.ft. and under 15 ft. height	3 to 4 weeks	S
Single-Family Unit or Duplex – 501 to 1,200 sq.ft. and under 15 ft. height	3 to 4 weeks	S
Attached Second Dwelling Unit – Not to exceed 30% of existing dwelling unit or 640 sq.ft., whichever is less	3 to 4 weeks	S
Garage Conversion	3 to 4 weeks	S
Design Review Board Review		
Accessory Structure – 251 sq.ft. or more	3 to 5 weeks	DRB
Medium Addition – 501 to 1,200 sq.ft. and over 15 ft. height	4 to 6 weeks	DRB
Large Addition – 1,200 sq.ft. or more	5 to 8 weeks	DRB
Single Family Unit or Duplex – 1,201 sq.ft. or more	5 to 8 weeks	DRB
Detached Second Dwelling Unit – not to exceed 640 sq.ft.	4 to 6 weeks	DRB
Multifamily Project – 3 to 5 units	5 to 8 weeks	DRB
Multifamily Project – 6 to 10 units	8 – 12 weeks	DRB
Multifamily Project – 11 or more units	4 to 6 months	DRB

Notes: S = Planning Staff, DRB = Design Review Board, PC = Planning Commission, CC = City Council

Source: Richmond Planning and Building Services Department.

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Table 5.50
Required Application Materials

	Single-Family Unit or Duplex	Second Dwelling Unit	Residential Subdivision or Condominiums	Multifamily Apartments
Application Form	X	X	X	X
Review Fees	X	X	X	X
Project Description	X	X	X	X
Green Building Checklist	X	X	X	X
Title Report			X	X
Phasing Plan			X	X
Subdivision Map			X	
Site Plan(s)	X	X	X	X
Contextual Map			X	X
Site Cross-Sections			X	X
Building Elevations	X	X	X	X
Street Elevation	X		X	X
Building Cross Sections	X	X	X	X
Floor Plans	X	X	X	X
Roof Plans			X	X
Landscape Plans	X		X	X
Preliminary Utility Plan			X	X
Lighting and Photometric Plan			X	X
Tree Survey			X	X
Sign Plans			X	X
Materials Samples Board	X	X	X	X
Color Samples Board	X	X	X	X
Exterior Lighting Board			X	X
Inclusionary Housing Statement			X	X
Soil and Geological Report			X	X
Preliminary Grading and Drainage Plan	X		X	X
Stormwater Control Plan and Report			X	X
Photo Exhibit	X	X	X	X

Source: Richmond Planning and Building Services Department.

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Table 5.51
Typical Processing Procedures by Residential Project Type

	Single-Family Unit or Duplex	Second Dwelling Unit	Residential Subdivision or Condominiums	Multifamily Apartments
Categorical Exemption	X	X		
Mitigated Negative Declaration			X	X
Application Completeness Review	X	X	X	X
General Plan Consistency Review	X	X	X	X
Zoning Compliance Review	X	X	X	X
Bike Master Plan Consistency Review			X	X
Pedestrian Master Plan Consistency Review			X	X
Park Master Plan Consistency Review			X	X
Five-Year Strategic Business Plan Consistency Review			X	X
Prelim. Building Review			X	X
Prelim. Fire Review			X	X
Prelim. Engineering Review			X	X
Prelim. Wastewater Review			X	X
Prelim. Stormwater Review			X	X
Neighborhood Council Review	X	X	X	X
Notice of Public Hearing	X	X	X	X
Staff Report and Recommendation	X	X	X	X
Design Review Board Review	X	X	X	X
Planning Commission Review			X	X
Appeal Period	X	X	X	X
Estimated Total Processing Time	5 to 8 weeks	3 to 6 weeks	1 to 6 months	1 to 6 months

Source: Richmond Planning and Building Services Department.

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Table 5.52
Development Permit Fees

Service	Fee
Environmental Review	
Preliminary CEQA Review	$175 (F)
Negative Declaration (City performs work)	$15,500 (D)
Mitigated Negative Declaration (City performs work)	$22,500 (D)
Mitigated Negative Declaration (City administration of consultants)	30% total contract cost (F)
Environmental Impact Report (City administration of consultants)	30% total contract cost (F)
Mitigation Monitoring (First Year)	$10,500 (D)
Mitigation Monitoring (Subsequent Years)	$7,000 (D)
Amendment Review	
Plan Amendment or Rezoning	$16,223 (D)
Lot Line Adjustment or Parcel Merger	$4,075 (D)
Variance Review	
Residential Related Variance	$2,500 (D)
Variance Review	
Residential Related Variance	$2,500
Non Residential Variance	$4,350
Subdivision Review	
Pre-Application Study Session	$5,900 (D)
Tentative Parcel Map (Subdivision of 0 to 4)	$9,423 (D)
Tentative Parcel Map (Subdivision of 5 to 25)	$13,309 (D)
Tentative Parcel Map (Subdivision of 26 to 100)	$16,418 (D)
Tentative Parcel Map (Subdivision of 101 to 200)	$20,109 (D)
Tentative Parcel Map (Subdivision of 201 or more lots)	$23,703 (D)
Preliminary Plan	$2,500 (D)
Development Plan	$3,100 (D)
Certificate of Compliance	$2,500 (D)
Conditional Use Permit Review	
Residential Uses	$4,500 (D)
CUP Temporary Uses	$2,750 (D)
CUP Amendment	$3,150 (D)
Design Review - Over the Counter	
Fence (Under the max basic heights allowed)	$50 (F)
Solar Panel Installation	$100 (F)
Accessory Structure (250 sq. ft. or less)	$125 (F)
Small Addition (500 sq. ft. or less under 15 ft. height)	$350 (F)
Design Review - Administrative	
Fence (Over max basic heights allowed)	$550 (F)
Medium Addition (501 to 1,200 sq. ft. under 15 ft)	$800 (F)
Single-Family Unit or Duplex (501 to 1,200 sq. ft. under 15 ft.)	$2,500 (F)
Attached Second Dwelling Unit (Not to exceed 30% of existing dwelling unit or 650 sq. ft. whichever is less)	$1,200 (F)
Garage Conversion	$950 (F)
Uncovered, Tandem or RV Parking Space(s)	$950 (F)

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Table 5.52 (Continued)
Development Permit Fees

Service	Fee
Design Review - Residential	
Accessory Structure (251 sq. ft. or more)	$1,100 (D)
Medium Addition (501 to 1,200 sq. ft. over 15 ft.)	$1,500 (D)
Large Addition (1,201 sq. ft. or more)	$2,225 (D)
Single-Family Unit or Duplex (1,201 sq. ft. or more)	$3,000 (D)
Detached Second Dwelling Units (Not to exceed 640 sq. ft.)	$1,500 (D)
Multi-Family Project (3 to 5 units)	$4,500 (D)
Multi-Family Project (6 to 10 units)	$8,000 (D)
Multi-Family Project (11 or more units)	$10,500 (D)
Building Fees (Building Fees are based on project valuation. Fees listed are based on a typical project avaluation of $200,000)	
Building Permit	$2,524
Electrical Permit	$327
Plumbing Permit	$273
Mechanical Permit	$210
Building Plan Check	$2,373
Landscaping Plan Check	$1,363
Engineering Site Review	$484
Energy Conservation Site Review	$484
Comprehensive Planning Fee	$3,538
Occupancy Certification Program	$263
Fire Department Plan Check	$360
Impact Fees	
West Contra School District Fees	$3.36 per SF
Subregional Transportation Mitigation Fee - Single Family	$3,069
Subregional Transportation Mitigation Fee - Multifamily	$1,949 per unit
Subregional Transportation Mitigation Fee - Senior Housing	$829 per unit
Public Facility Impact Fee - Single Family	$14,935
Public Facility Impact Fee - Multifamily	$21,037 per unit
Water and Wastewater Connection Fees	
EBMUD Service Connection Fee - Single Family	
Installation Charge	$6,193
System Capacity Charge	$16,100
EDMUD Service Connection Fee - Multifamily	
Installation Charge	$10,000 - $24,000
System Capacity Charge	$9,370 per unit
WCWD Service Connection Fee - Single Family	$2,993
WCWD Service Connection Fee - Multifamily	$2,154 per unit

(D) = Deposit Fee

(F) = Flat Fee

Source: City of Richmond Department of Planning and Building Services. Adopted 7/30/2015

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Table 5.53
Proportion of Fee in Overall Development Cost for a Typical Residential Development

Development Cost for a Typical Unit	Single Family	Multifamily
Total Estimated Fees Per Unit	$61,000	$32,000
Typical Estimated Cost of Development per Unit	$430,000	$318,000
Estimated proportion of fee cost to overall development cost per unit	14.2%	10.1%

Source: City of Richmond.

Possible City Constraints to Housing for Disabled Persons

Senate Bill 520 requires all jurisdictions, as a part of the Housing Element update process, to examine and identify any city policies or procedures that may constrain the development, maintenance or improvement of housing for disabled persons. This examination includes an evaluation of existing land use controls, permit and processing procedures, fees and exactions, and building codes.

The City of Richmond continues to incorporate the Federal Fair Housing Act, the California Fair Employment and Housing Act of 1964, and the 1997 Uniform Building Code and ADA requirements as a part of its building requirements. These three laws address the fair housing practices adhered to by the City, which include practices against housing discrimination towards persons with disabilities.

Congregate care homes are identified in the City's Zoning Ordinance. Congregate care homes of six or fewer persons are allowed by right, in compliance with state regulations, in all current residential zones. Further, the City does not have any established conditions or use restrictions established for group homes of greater than six persons, however a conditional use permit (CUP) is required for these homes. Any project within the City, which requires a CUP for approval, must be approved by the Planning Commission. This requirement could be considered a constraint to housing development for disabled persons, however, the CUP process is not implemented to constrain housing development of this type, but to ensure that proper staffing and care is provided at these types of facilities. The City does not have any specific guidelines for a congregate care home conditional use permit, other than general conditions of approval required of all projects requiring a CUP. Individual conditions may require specific design features to meet the special ADA needs of its occupants and may be based on the structure such as the installation of emergency and fire alarms and exits, roof shingles meeting or exceeding 30-year performance standards, and roof water drainage. No restrictions are placed on the siting of this type of housing.

The City does not have occupancy standards for unrelated adults. The City does not regulate the siting of special needs housing in the Land Use Element or the Zoning Code. The City continues to have no specific processes to make reasonable accommodation to persons with disabilities in the Planning and Building Services Department, however the City will accommodate any reasonable request for assistance.

A minor retrofit of a home to allow for accessibility is an over-the-counter permit process, and any major retrofits may require review by the Building Division. The City continues to have no policies or programs to reduce parking standards for facilities designed for disabled persons.

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City Efforts to Remove Housing Constraints

Richmond continues to have no locally imposed restrictions such as "no growth" limitations, growth management plans or annual development quotas on the supply of new housing. Over 33 percent of the land in Richmond continues to be designated for residential land use.

The City continues to take an aggressive role in alleviating governmental constraints to the construction of affordable housing. City building, planning and subdivision fees and fees required by other public entities such as the West Contra Costa Unified School District, East Bay Municipal Utilities District, and BART remain an impediment to the development of affordable housing. In the past, the Planning and Building Services Department has introduced legislation to the City in order to waive fees for affordable housing projects, however, because of the City's present budget problems, the measure has not been implemented. Land write-down and other types of subsidies have been used to develop recent projects and will continue to be considered for use in order to increase affordability.

In 2001, the City of Richmond adopted an Inclusionary Housing Ordinance that requires from 10 to 25 percent of units in new developments of 10 or more units to be affordable, or that the developer pay an in-lieu fee. The City continues to monitor recent court rulings that may impact the effectiveness of the Inclusionary Housing Ordinance, and the Housing Element contains programs to continue to implement the ordinance and analyze any necessary modifications (see Programs H-1.3.1 & H-1.3.2).

The previous Housing Element indicated that much of the City's target area neighborhoods are currently zoned at higher densities than existing development reflects. These areas continue to have the capability to accommodate much more intensive uses. While the Zoning Ordinance does regulate the development of housing in Richmond, it in no way deters or poses significant constraints on such development in the City.

Infill Housing Initiative Strategy (IHI)

In 2004, the City developed the Infill Housing Initiative Strategy (IHI) to develop 400-500 housing units on vacant lots and abandoned properties in developed Richmond neighborhoods and make them available for sale to low and moderate-income households. As part of the strategy, the City developed a selection of architectural plans for sub-standard 25-foot wide infill lots. The plans, which adhered to City development standards, were made available to applicants, thus expediting the permitting process for those lots. To further facilitate development of the infill lots, the Richmond City Council approved a $500,000 community investment agreement with Wells Fargo to assist in acquiring and developing the in-fill units for low-and moderate-income ownership. The investment provided revolving acquisition pre-development funds to allow the City to develop housing on in-fill lots. The City continues to implement the IHI Strategy and ensure compliance with the latest California Building Code.

Rehabilitation and Relocation Assistance

The enforcement of building codes, while resolving code violations, may have a negative impact on preserving a city's existing affordable housing stock by requiring the relocation of lower income tenants. The City continues to alleviate some of the relocation anxieties initiated by code enforcement and abatement by offering relocation services to tenants and rehabilitation loan assistance to absentee landlords Housing Element programs H-2.5.11: Rental Rehabilitation Loan Program).

Cost Reductions

The City provides cost reductions to developers through the Density Bonus Ordinance when very low and low-income family and senior units are proposed. The Ordinance was recently amended to parallel the State's most recent requirements. Further cost reductions occur in the form of increased densities and in incentives such as flexibility in site development standards and zoning code requirements.

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Reductions in development fees and dedication requirements, public financing, and/or accelerated plan checks may also be used to provide incentives to developers for the construction of affordable housing.

Further cost reductions occur through the more efficient use of land in a Planned Area district. For example, the Planned Area district of the zoning code allows design flexibility through, but not limited to, small lots, cluster developments and mixed unit types.

The City provides cost savings through financing options to lower income households. Activities include, but are not limited to homebuyer assistance, the Home Improvement Loan Program, owner rehabilitation loans and emergency loans, the REAL (Richmond Effort to Abate Lead) Program, and rental rehabilitation loans.

Zoning Ordinance Update

The adoption of the 2030 Richmond General Plan in 2012 has prompted the City to initiate a comprehensive Zoning Ordinance Update, intended to incorporate the Richmond Livable Corridors (RLC) Form-based Code and modernize and streamline the development review and permitting process while implementing the goals of the General Plan. The form-based zones contained within the RLC allow for a variety of housing types and intensities, and introduces more flexibility towards residential uses and associated development standards. The FBC along with the comprehensive Zoning Code Update will provide a clearer, more certain entitlement process for developers to produce quality housing in Richmond.

Non-governmental Constraints

Cost of Land

The cost of land is one of the most significant contributing factors towards the high cost of housing in the region. Over the last twenty years, a growing population has ensured a continuing demand for land, which in turn, has led to increasing costs.

A search on the internet for land-for-sale records in March 2015 found few vacant residential properties for sale in Richmond (Source: Trulia). The survey showed that the cost of land fluctuates widely depending on location, with residential land averaging around $28 per square foot. Preliminary findings from a Residential Nexus Study currently being prepared by the City indicate land acquisition costs for multifamily developments, such as townhomes, can be as much as $40 per square foot.

The high cost of land in Richmond is a constraint to the development of lower income housing. Given the situation, developers will have to construct multifamily housing at higher densities and smaller unit sizes to generate economies of scale for the development to be profitable, or obtain public or private subsidies to offset high costs of land.

Cost of Construction

Construction costs include material costs, equipment, as well as labor costs. The high cost of labor in the Bay Area is a major factor for why construction costs are higher in the San Francisco Bay Area than in other parts of the country.

According to the U.S. Census, for building permits issued in 2012, the average estimated construction cost of single-family housing in Richmond was $215,041 per unit. Preliminary findings from the City's Residential Nexus Study estimates a higher cost of construction, claiming direct construction costs for a three bedroom townhouse of 1,500 square feet may reach $270,000 per unit. Construction costs can vary depending on the quality of finishes and amenities. It is important to note that these estimates do not include land costs, financing, permits/fees, developer profit or marketing costs.

Construction costs for multifamily residential units can vary more than those for single-family homes due to the greater range in which they can be built. For example, a high-end senior complex with senior-friendly

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amenities will cost much more than an affordable multifamily complex. RS Means Quick Estimator (www.rsmeans.com) estimates construction costs for a low-rise, 7,200 square foot multifamily residential building to be in the range of $260 and $362 per square foot. Amenities such as elevators, common open space and landscaped areas can also add to the overall cost.

To reduce construction costs, developers may build at higher densities to increase the economies of scale. In most cases, reduced parking requirements can also make construction more affordable. Developers can also reduce costs by using better, newer construction methodology such as modular construction, off-site manufacturing, and prefabrication. Many of these techniques can help save time, control quality, and eliminate waste and labor costs, thereby keeping costs to a minimum.

Availability of Financing

Given the high cost of ownership in the Bay Area, the availability of financing is an important factor in determining whether a potential homeowner can afford to purchase a home. The availability of financing in a community depends on a number of factors, including the type of lending institutions active in the community and the lending practices of those institutions. Through analysis of Home Mortgage Disclosure Act (HMDA) data on the disposition of residential loan applications, an assessment can be made of the availability of residential financing within a community.

In general, credit-worthy buyers in Richmond have not had difficulty obtaining loans. Home Mortgage Disclosure Act data for 2013 indicates that the majority of Richmond residents' loans (53 percent) were approved or approved but not accepted. Only 17 percent of loan applications were denied. The remaining 30 percent were withdrawn by applicant, filed as incomplete, or purchased by the financial institution. As long as buyers are able to provide the necessary down payment and have middle- or high-incomes, banks and financial institutions have provided credit.

Lower income households and buyers without capital or equity, however, still face difficulty obtaining quality financing. Until 2006, prospective buyers had been able to purchase homes with small down payments, or even no money down, borrowing more than the house was worth. After the 2007 housing crisis, sub-prime lending is no longer available. Few lower income households are able to afford a 20 percent down payment for a home.

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Housing Resources and Opportunities

This section contains an inventory of adequate sites in Richmond that can be developed to meet the City's Regional Housing Needs Allocation (RHNA). It also contains an analysis of potential development constraints for those sites and examines opportunities for energy conservation.

Adequate Sites: Available Sites for Housing

Under State law, the City is required to demonstrate that its land inventory can adequately accommodate its share of the region's projected growth. This is accomplished through an evaluation of vacant and underutilized residential and mixed-use properties with potential for residential development within the timeframe of the Housing Element. Appendix C contains a list of vacant parcels zoned for residential development, as well as city maps identifying the location of each vacant parcel.

In June 2012 the City conducted a comprehensive review of all vacant sites designated for residential and mixed-use development in Richmond to assess future residential production potential. Parcels that did not meet the minimum lot area requirements outlined in the City's Zoning Ordinance (generally less than 5,000 square feet) and parcels above 400 feet in elevation were excluded. In 2015, the City updated the vacant site inventory to reflect current conditions, removing projects constructed in the last cycle ore experiencing a change in the status of its entitlements.

The maximum unit capacity for each vacant parcel was calculated based on the allowable density permitted by each parcel's zoning designation. Realistic unit capacity for residential zones was determined based on an 80 percent buildout factor, which assumes that development standards combined with unique physical and environmental site features may not always lead to 100 percent buildout. Realistic unit capacity for commercial zones was determined based on a 60 percent buildout factor. Although typical mixed-use developments in Richmond have achieved densities of 50 units per acre, the reduced buildout factor accounts for non-residential uses that may occur on mixed-use sites. Recent development interest in the City, continued vacancy and underutilization of commercial sites, and the strong Bay Area and Contra Costa County housing markets suggest greater demand for residential uses in City. In addition, the housing element only identified sites determined to have the greatest viability for residential development within the planning period given the size of sites and location, which is smaller than actual development potential in Richmond.

Table 5.54 summarizes vacant land by zoning designation, including acreage, number of parcels, allowable density, maximum unit capacity, and realistic unit capacity. Richmond currently has approximately 228 acres of developable vacant land zoned for residential and mixed-use development within the City limits that can accommodate 1,912 residential units. Of the 1,192 potential residential units, 1,254 units could be developed in single-family and multifamily zoning districts. An additional 658 units could be developed in commercial zoning districts. Multifamily development is allowed by-right in C-1, C-2, C-3, and CB zoning districts, and by conditional use permit in the CC district. Commercial zones permit densities equal to that of the MFR-2 zone or up to 34.8 units per acre. Generally, MFR-2 development standards for parking, setbacks and open space apply, with the addition of certain performance and setback standards where abutting residential zones/uses exist. Where residential is a component of a mixed use project in the C-3 zone, the maximum allowed FAR is increased from 1.5 to 2 (equaling the maximum FAR in C-2 zones). Several large commercial sites suitable for higher density residential development exist in various areas of the City. There are 5 sites between 2.95 and 3.96 acres in size located in the C2 and C3 zones, which do not restrict development that is entirely comprised of residential uses.

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In addition to the vacant residential land identified in **Table 5.54**, **Table 5.55** lists recently constructed projects that have produced new residential units since January 1, 2014 or are currently permitted and expected to result in new single family and multifamily construction during the 2015-2023 planning period. Of the 892 units approved, permitted or constructed since 2014, 601 were affordable to very low and low-income households. As shown in **Table 5.55**, the RHNA allocation for low income households of 305 has already been exceeded with project approvals for 437 units, and 164 approved units for very low income result in a remaining need of 274 units.

The MFR-2, MFR-3 and commercial zoning districts have historically been developed at higher densities and with units affordable to lower income households, and thus are areas most likely to accommodate a substantial amount of Richmond's share of the regional housing need for lower income households. As shown in **Table 5.56,** approximately 31.7 vacant acres are located in high density (greater than 30 du/acre) MFR-3 and commercial zones with a potential unit capacity of 668 units, exceeding the remaining need of 314 units for low and very low income housing. Approximately 196 acres of vacant land with allowed densities below 30 du/acre are available to accommodate up to 1,243 housing units suitable for moderate and above moderate income levels. While this total falls ~~257~~ 158 units short of the remaining need of 1,~~500~~ 401 units, some of this remaining need may be met by excess capacity in higher density residential land, as well as through planning efforts underway that will increase available land and unit capacity for both market rate and affordable housing, as described below.

Planning Efforts Underway to Increase Housing Capacity in Richmond

The City recently adopted a comprehensive update to its General Plan in April 2012. The Richmond General Plan 2030 promotes mixed-use, high-density, infill development in Richmond's Downtown and along its major commercial and transit corridors. This sustainable land use policy will facilitate increased housing production by allowing for higher densities, lower development costs and expedited environmental review, and significantly expand the City's ability to meet its RHNA in current and future housing element cycles.

Richmond Livable Corridors Plan Form-Based Code

The majority of the vacant sites appropriate for housing development are located within the planning area of the Richmond Livable Corridors Plan Form-Based Code (FBC). See Appendix D for a map of the Livable Corridors planning area. The FBC, scheduled for adoption in May of 2015, will implement the General Plan vision, policies and objectives for major commercial corridors including Macdonald Avenue, San Pablo Avenue and 23rd Street.

The FBC will regulate development characteristics and standards including building placement, form, height, frontage, and land use. FBCs seek to foster predictable built results and a high-quality public realm. As an alternative to conventional zoning, they focus on the creation, revitalization, and preservation of vibrant, walkable urban places. They utilize physical form, rather than use, as their primary organizing principle, and provide standards for both private and public realms.

The Richmond Livable Corridors Plan is expected to have 10 zones that will allow for a variety of housing types including single-family homes, second units, multifamily housing, group housing, and residential care facilities, transitional/supportive housing, live/work, and work/live. Multifamily housing will be allowed (by-right or with a Minor Use Permit) throughout the planning area.

While the FBC does not regulate density through minimum or maximum units per acre, the FBC will exceed densities allowed under the current zoning and accommodate General Plan densities of up to 125 units per acre. In addition, the FBC will incentive infill residential development through larger buildable areas, increased building heights, mixed-use sites, relaxed parking standards, and streamlined permit review. Specifically, the draft FBC provides for significant increases to maximum building heights for buildings with

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25 percent or more affordable or senior units in T6 Core, T5 Main Street, and T4 Main Street zones and the elimination of parking requirements for affordable or senior units in the T4 Neighborhood and T4 Main Street zones. The FBC will also introduce new opportunities for multifamily housing on sites that were formerly reserved for commercial uses.

A number of opportunity sites fall within the FBC areas. The FBC areas encourage a mix of uses, emphasizing commercial activity at select nodes, while remaining more flexible towards other uses in between. Of the larger opportunity sites (greater than one-half acre in size), one is within the FBC area in the T4MS-O Zone. The T4MS-O Zone allows 100 percent multi-family development by right (no commercial component required).

Richmond Bay Specific Plan

The City will also considerably increase land available for residential development within a 220 acre Priority Development Area (PDA) along its south shoreline of the San Francisco Bay. The Richmond Bay Specific Plan is nearly complete, and is intended to complement and capitalize on the proposed Berkeley Global Campus at Richmond Bay, which is anticipated to become a global, high tech research hub comprised of a mix of institutional, commercial, and residential uses. The Richmond Bay Specific Plan's guiding land use plan and development standards includes the conversion of a significant area of industrial land into a mix of uses, including a variety of housing types and intensities that will provide a balance of jobs and housing. Overall, the Plan provides for over 4,000 units of housing estimated at complete build out.

Table 5.54
Total Vacant Residential Sites

Zone		Acres	# of Parcels	Allowable Density (du/acre)	Max Unit Capacity	Realistic Unit Capacity Density[a]
Residential						
SFR-1	Single Family Rural Residential District	24.95	2	4.0	99	79
SFR-2	Single Family Very Low Density Residential District	147.23	37	7.3	1,069	855
SFR-3	Single Family Low Density Residential District	16.90	83	11.6	196	157
MFR-1	Multifamily Residential District	7.20	36	26.4	190	152
MFR-3	Multifamily High Density Residential District	0.25	2	54.5	13	11
	Subtotal	***196.53***	***160***		***1,567***	***1,254***
Commercial						
C-1	Neighborhood Commercial	3.33	16	34.8	116	70
C-2	General Commercial	20.26	28	34.8	706	424
C-3	General Commercial	3.17	1	34.8	110	66
CB	Central Business District	2.61	16	34.8	91	55
CC	Coastline Commercial District	2.08	2	34.8	73	44
	Subtotal	***31.45***	***63***		***1,096***	***658***
Total		**227.98**	**223**		**2,664**	**1,912**
Sites suitable to accommodate Richmond's share of regional housing need for lower income households (max density at least 30 du/acre)		*31.70*	*65*		*1,110*	*668*

Based on historical trends and assumption that development standards combined with unique site features may not always lead to 100 percent buildout. Assumes 80 percent realistic unit capacity for residential zones and 60 percent for commercial zones.

Note: Some totals may not add due to rounding.

Source: City of Richmond

Units Approved in Current Housing Element Cycle

A number of projects, including those constructing a significant number of low and very low housing units have been approved and may be applied towards the 2015-2023 planning period. **Table 5.55** below presents the projects holding permit approvals and expected to begin construction in the near future. Specifically, affordable projects will provide ~~442~~ 437 units of affordable housing, covering the RHNA for the low income category completely. The Central Ave. and Nevin Ave. projects are deed-restricted projects being developed by AMG & Associates, based out of Santa Clarita, and successfully utilized the City's density bonus. In addition, the Miraflores Senior Housing Project is being developed by the Community Housing Development Corporation (CHDC) of North Richmond with East-Bay non-profit developer Eden Housing, and will provide 80 units for seniors with very low incomes. The Westridge project is a major renovation/addition to an existing housing development, adding 79 units affordable to low and very low income households while renovating existing affordable units and improving site conditions.

Table 5.55
Units Approved, Permitted, and/or Built Since January 1, 2014

Project Name	Status	Units by Income Level					Funding Source
		Total Units	VL	L	M	AM	
Key Triplex	Entitled	3				3	
Jerilynn Residence	Entitled	1				1	
Mckinnon Residence	Entitled	1				1	
Verling-Lawson Residence	Entitled	1				1	
Singh Triplex	Entitled	3				3	
Thomas Drive Residence	Entitled	1				1	
Anchorage @ Marina Bay	Entitled	111				111	
Jimenez Residence	Entitled	1				1	
Bottoms Residential Project by Shea	Entitled	60				60	
Blandon Residence	Entitled	1				1	
Miraflores Senior	Entitled	80	80				HOME, Section 108, CALReUse
Pineda Residence	Entitled	1				1	
Kaappy Residence	Entitled	1				1	
Bay Area Note Group Residence	Entitled	1				1	
Central Avenue	Entitled	155	15	140			
Nevin Avenue	Entitled	289	29	258		2	
Garrity Way	Entitled	98				98	
Westridge Residences (Addition)	Entitled	79	40	39			
Secondary Dwelling Units	Entitled					5	
	Total	**887**	**164**	**437**	**0**	**291**	

Source: City of Richmond.

Table 5.56
Comparison of Regional Growth Need and Vacant Sites

Income Group	Remaining RHNA	Density[a]	Vacant Acres	Units Accommodated
Very Low	274	>30 du/acre	**31.70**	**668**
Low	(132)			
Moderate	410	<30 du/acre	**196.28**	**1,243**
Above Moderate	991			
Total	**1,543**		**227.98**	**1,911**

a. Per Government Code Section 65583.2(c)(3)(B), sites zoned for densities greater than 30 du/acre are deemed appropriate to accommodate Richmond's share of regional housing need for lower income households.

Source: City of Richmond, Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022.

Potential Development Constraints

Sites identified for residential development in the City were analyzed to determine their relationship to public facilities, services and existing or potential physical and environmental constraints to potential development. As part of the Environmental Impact Report for the Richmond General Plan 2030, the City has adopted program-level mitigation measures to address environmental constraints for future development.

Public Facilities and Services

The short- and long-term development viability of the vacant and underutilized sites in the land inventory is directly linked to the availability and capacity of public facilities and services. The City's Community Facilities and Infrastructure Element, adopted as part of the Richmond's General Plan 2030, addresses the current and future needs for educational and human service facilities in Richmond such as schools, libraries and community centers, as well as infrastructure and public utilities such as streets, water, sewer, waste, communications and electricity. The goals and policies of the Community Facilities and Infrastructure Element seek to improve these facilities and services to meet community needs as the City grows. As an urbanized community, infrastructure is available for virtually all vacant residential and commercial parcels in the City. All of the sites have utilities available or nearby, and only interior distribution services would need to be provided. Infill sites are already fully provided with utilities.

The City maintains about half of the sewer lines within the City's boundaries. The Richmond Municipal Sewer District services an area that encompasses 13.5 square miles, generally described as being bounded by Tulare Street to the north, the City of El Cerrito to the east, Richmond Inner Harbor to the south and Castro Street to the west. The wastewater treatment plant located in Point Richmond at 601 Canal Boulevard treats the wastewater collected by the District. Residents living in the northern half of Richmond are served by West County Wastewater District (WCWD). Residents in the southern section of the Richmond Annex are serviced by Stege Sanitary District (SSD). The City has adequate sewer capacity to serve existing development as well as new residential development needed to serve projected increases in population.

The City's drinking water supply is provided by the East Bay Municipal Utility District (EBMUD), which provides water for 1.3 million customers in Alameda and Contra Costa County. The water supply originates from Mokelumne River watershed in the Sierra Nevada and extends 90 miles to the East Bay. The current system, which includes a recently upgraded treatment facility, has enough capacity to serve more than the City's planned growth.

While all land designated for residential use is served by sewer and water lines, streets, storm drains, telephone, electrical, and gas lines, as an older community, much of the Richmond's infrastructure is aging and will require improvements or replacement over time.

SB 1087, effective January 2006, requires water and sewer providers to grant priority for service allocations to proposed developments that include units affordable to lower income households. Pursuant to these statutes, upon adoption of its Housing Element, Richmond will immediately deliver the Housing Element Update to local water and sewer providers, along with a summary of its regional housing needs allocation.

Flooding, Sea Level Rise and Tsunami Inundation

Globally, scientists expect changing temperatures to result in disruption of ecosystems, more frequent and damaging storms accompanied by flooding and landslides, increases in the number and severity of heat waves, extended water shortages as a result of reduced snow pack, increased likelihood of wildfires, and disturbance of wildlife habitats and agricultural activities. Local impacts are not definitive, but Richmond could experience changes to local and regional weather patterns, rising bay water level, changes in salinity and tidal patterns of San Francisco and San Pablo bays, coastal erosion, water restrictions, vegetation changes, and disrupted species migration patterns and extinctions. However, nearly all of the sites included in the vacant land inventory are not subject to significant flood, sea level rise or tsunami inundation related impacts. Appendix E includes maps from the Richmond General Plan 2030 identifying areas vulnerable to flooding, potential sea level rise and tsunami inundation.

Geology and Seismic Vulnerability

The 400-foot crest of the Sobrante Ridge serves as the elevation transition between the City core's low-lying areas and the San Pablo-Potrero Hills Range. The vegetation and topography of parcels above 400 feet leaves development vulnerable to wildland fires and soil hazards such as landslides. For these reasons, developers are encouraged to concentrate residential development below the 400-foot elevation.

The 1997 Uniform Building Code locates Richmond and the entire Bay Area in Seismic Risk Zone 4, an area expected to experience maximum magnitudes and damage in the event of an earthquake. According to the April 2008 U.S. Geological Survey Fact Sheet, the probability of at least one major 6.7 magnitude or greater earthquake capable of causing widespread damage striking somewhere in the San Francisco Bay Area before 2037 is 63 percent.

A portion of the North Hayward Fault runs through the eastern portion of Richmond. The State Mining and Geology Board has established a Special Studies Zone in Richmond per the Alquist-Priolo Special Study Zones Act that was created to delineate zones encompassing all active fault traces. Two major earthquakes have occurred along the fault, in 1836 and 1868, with magnitudes greater than 7.0. This fault is the most hazardous system in the Bay Area, with a likelihood of 31 percent for a magnitude 6.7 or higher earthquake in the next 30 years. Major activity along the fault is likely to cause extensive structural damage in the region.

The San Andreas Fault, California's longest and most active fault, is located approximately 15 miles west of Richmond. A significant earthquake along this fault could result in severe damage in Richmond. The 1906 and 1989 earthquakes were produced by the San Andreas Fault, which has a 21 percent probability of generating another earthquake with a magnitude 6.7 or higher in the next 30 years.

Appendix F includes maps that show areas subject to landslides, known earthquake faults located near Richmond and indicate earthquake probabilities.

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Environmental Contamination

Brownfield sites are abandoned or underutilized industrial and commercial sites that may be complicated by the presence of a hazardous substance, pollutant, or contaminant. As an older industrial city, Richmond has a higher incidence of these sites, which often require environmental clean-up prior to development. This is particularly true for affordable housing development projects, where the economics of land costs often result in these developments being sited in areas that have historically been more likely to be environmentally contaminated due to their closer proximity to industrial areas. Environmental mitigation adds to the cost of development. State mandated regulations call for detailed documentation, analyses and public participation requirements in the determination of environmental impacts and their mitigation. As shown in Appendix C, the vacant land inventory includes 6 environmental brownfield sites. There are recent successful examples of remediation of Brownfield sites, such as the Miraflores development identified in **Table 5.55** above. Excluding the vacant brownfield parcels from the opportunity sites analysis only reduces the capacity for very low and low-income housing by 13 units, which still exceeds the remaining need for those income categories.

Noise

The City's Public Safety and Noise Element, adopted as part of the Richmond General Plan 2030, identifies and evaluates public health and safety concerns, and aims to reduce noise levels to acceptable standards and reduce, eliminate or mitigate objectionable noise sources in Richmond. The Noise Element identifies motor vehicles, airports, railroads and BART as primary noise sources in Richmond. Potential mitigation measures include establishment of noise compatible land use standards, development of guidelines to manage noise impacts, enforcement of noise standards, better construction techniques, changes in building orientation and site design layout, and promotion of innovative solutions to create buffers that mitigate noise impacts.

Opportunities for Energy Conservation

State law requires that housing elements discuss opportunities to encourage more energy saving features and materials, and energy efficient systems and design in residential development. This section discusses Richmond's efforts to expand energy conservation practices in residential development.

Energy and Climate Change Element

The Richmond General Plan 2030 includes one of the first energy and climate change elements in the Country. Many of the goals, policies and actions in Richmond's Energy and Climate Change Element relate to energy conservation in residential development. Specifically, Goal EC4 on Sustainable Development aims to reduce energy consumption by promoting sustainable infill development and encouraging the construction of higher-density, mixed-use projects around existing public transit, schools, parks, and neighborhood-serving retail. Richmond has begun a comprehensive update to its Zoning Code in order to make it consistent with the Richmond General Plan 2030.

State Green Building Standards Code

In January 2010, the State Building Standards Commission unanimously adopted the first-in-the-nation mandatory Green Building Standard Code. Referred to as "CALGREEN," the new code became effective on January 1, 2011 and requires all new buildings in the state to be more energy efficient and environmentally responsible. Specifically, every new building constructed in California will need to reduce its water consumption by 20 percent, divert 50 percent of its construction waste from landfills, and install low pollutant-emitting materials. The City's Planning and Building Services staff has been trained in the administration and enforcement of the CALGREEN code. The City is considering establishing incentives such as fee deferrals, fee reductions, expedited reviews, and other incentives for projects achieving LEED (Leadership in Energy and Environmental Design) rating levels that exceed CALGREEN requirements.

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Residential Energy Efficiency Programs

A variety of local programs summarized in **Table 5.57** are available to Richmond residents seeking to improve the energy efficiency of their existing homes. The City of Richmond continues to promote these programs and services through its website and participation at monthly neighborhood group meetings.

Table 5.57
Energy Conservation Programs in Richmond

Program	Provider	Service
R3 - Richmond Recovery Rebate for Energy Upgrade California	City of Richmond	Rebates from various Energy Upgrade California rebate programs including Richmond's R3 program.
R3 - Richmond Recovery Rebate for Solar	City of Richmond; GRID Alternatives	Rebates as well as free solar installations for qualifying homeowners.
Low Income Energy Savings Assistance Program	PG&E	Provides insulation, energy efficient light bulbs, weather sealing, showerheads, faucet aerators, and minor home repairs; replacement of old refrigerators, furnaces and/or water heaters; and discounted PG&E bill to income-qualified renters and homeowners.
Contra Costa County Weatherization Program	Contra Costa County	Provides free weatherization home improvements to income-qualified households.
Green Energy Training Services (GETS)	City of Richmond; Rising Sun Energy Center	Provides workforce development opportunities for Richmond residents and graduates of Richmond's green collar job training program RichmondBUILT. Maximum subsidy of $5,000 per home to cover energy evaluation and construction work.
California Youth Energy Services	Rising Sun Energy Center	Free energy and water efficiency services, with a focus on hard-to-reach households including non-English speakers, renters and moderate income households.
Home Energy Efficiency Rebates (HEERS) Program	PG&E	Rebates for energy-efficient cooling systems, water heaters and appliances.
Energy Efficiency Rebates for Multifamily Properties (EERMP) Program	PG&E	Rebates for appliances and general improvements for multifamily properties.
Smart AC Program	PG&E	Free programmable digital thermostats that are Energy Star compliant.
Energy Efficient Cool Roof Program	PG&E	Rebates for new roof insulation.
Attic and Wall Insulation Program	PG&E	Rebates for new wall and attic insulation.
Energy Star New Home Program	PG&E	Partnership with builders wanting to ensure their projects exceed State energy-efficiency requirements by at least 15 percent.
California Solar Initiative (CSI)	PG&E	Rebates on fixed and tracking photovoltaic systems.
Gas Winter Savings Program	PG&E	Rebates for customers reducing their gas consumption over a three-year period.
Free Water Audit Program	EBMUD	Free water audits to enhance water conservation.

Source: Pacific Gas & Electric, East Bay Municipal Utility District, City of Richmond.

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Review of Previous Element

To develop appropriate programs to address the housing issues and needs identified in the 2015-2023 Housing Element, the City of Richmond has reviewed the housing programs set forth in the 2007-2014 Housing Element and evaluated the effectiveness of these programs in delivering housing services and assistance. The City has also evaluated its progress in implementing the Housing Element.

Appropriateness

The State's housing goals are attained in part by ensuring that each region of the state meets its designated housing unit goals, which are allocated to local counties and cities in the Bay Area by the Association of Bay Area Governments (ABAG). The Regional Housing Needs Allocation (RHNA) is one measure of the appropriateness of the City's Housing Element, and is a key benchmark in monitoring its success.
In the 2007-2014 Housing Element, the City set a quantified objective of 2,200 new units. This quantified objective was slightly below the ABAG RHNA goals established for the City for that period of time, however it reflected the realistic economic conditions of the Great Recession and the gradual recovery of the housing market in subsequent years. In the seven-year period encompassed by the previous housing element, new construction in the City of Richmond resulted in over 1,123 residential units built, or slightly greater than one-half of its quantified objective total. Specific goals and units built for each household income level are presented in **Table 5.58**.

Table 5.58
Regional Housing Needs Allocation for 2007-2014 and Units Provided

	RHNA Requirement		
Income Group	**Number**	**Percent**	**Units Provided**
Very Low	391	13.8%	99
Low	339	12.0%	195
Moderate	540	19.1%	198
Above Moderate	1,556	55.1%	631
Total	2,826	100%	1,123

Source: 2007-14 ABAG Regional Housing Needs Determination, City of Richmond.

Progress and Effectiveness

The effectiveness of Richmond's Housing Program in meeting regional housing needs can be measured by a level of achievement, including the actual unit construction towards meeting the RHNA goal. As was the case in Bay Area cities and the Country, the City of Richmond faced significant economic hardship and consequent difficulty in developing new housing, largely due to the Great Recession. Despite the economic downturn, including a drastic rise in home foreclosures, 99 units of very low and 195 units of low income housing were developed in the previous Housing Element cycle, or approximately 40% of the RHNA total for those income categories. For the moderate and above moderate income households, 829 units were constructed, also achieving approximately 40% of the RHNA for those income levels. As evidenced by a resurgent housing market in the Bay Area and the Richmond, the City expects growth in housing development to continue.

Progress of Richmond's 2007-2014 Housing Goals, Policies and Programs

Table 5.59 provides an overview of Richmond's 2007-2014 Housing Element goals, and programs designed to achieve those goals.

Table 5.59: Review of the 2007-2014 Housing Element Goals, Policies and Programs

Goal H-1: A Balanced Supply of Housing – Promote a balanced supply of housing types, densities, and prices to meet the needs of all income groups.		
Policy/Program Description (Qualified or Quantified)	**Evaluation**	**Continue/Modify/Delete**
Policy H-1.1 - Housing Element Implementation: Coordinate and monitor the implementation of the City's Housing Element.		
Program H-1.1.1: Housing Element Coordination Group Convene quarterly meetings of the Planning and Building Services Department, City Manager's Office, Housing and Community Development Department, Richmond Housing Authority, and Code Enforcement Division to coordinate implementation of the City's Housing Element Programs. Summarize the Housing Element Coordinating Group's (HECG) activities as part of the Housing Element's Annual Progress Report (APR).	The Planning and Building Services Department has been assigned to coordinate these meetings and will build off the current Community and Economic Development (CED) group meetings that occur on a monthly basis. Meetings are scheduled for January, April, August, and December of each year with the intent of issuing the Annual Progress Report in February for the preceding year.	Continue.
Program H-1.1.2: Housing Element Annual Progress Report Utilize the forms and definitions adopted by the State HCD to prepare Annual Progress Reports (APR) on the ongoing implementation of the City's Housing Element Programs. Present the APR to the Housing Element Coordination Group (HECG), Planning Commission, and City Council and formally submit it to the State HCD.	Annual progress reports have not been provided to the Planning Commission, City Council, or the State Department of Housing and Community Development (HCD).	Continue and modify program language to acknowledge HECG is responsible for preparation of the APR.
Program H-1.1.3: Findings of Consistency Continue to require a written finding of consistency with the General Plan goals and policies prior to approving discretionary permits for residential development projects. Consider recommending Zoning Ordinance amendments to also require written findings of consistency with the City's other master planning documents such as the Pedestrian Plan, Bicycle Master Plan, and Parks Master Plan	The determination of consistency with the General Plan is used as the basis for staff's recommendation to approve, conditionally approve, or deny a proposed development project. The General Plan consistency determination has been an effective tool in ensuring that the City only approves development projects that help to realize the City's 20-year vision as set forth in the adopted General Plan. The City has initiated the comprehensive Zoning Ordinance Update and will consider modifications of the written findings to include consistency with other master planning documents.	Continue.
Program H-1.1.4: Compliance with Changes in State Housing Law Continually monitor changes in State housing law by subscribing to the State HCD publications. Promptly amend the City's plans and regulations to ensure ongoing compliance with State housing law.	The City successfully amended its Zoning Ordinance to incorporate changes in the State's housing density bonus law. The City is adopting SB 2 concurrently with this Housing Element Update and expects the ordinance to be adopted in May, 2015 and effective 30 days after adoption. The City will also consider changes to the Zoning Ordinance related to second dwelling units as part of the comprehensive Zoning Update.	Continue.

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Policy H-1.2 - Adequate Supply of Housing Sites: Ensure an adequate supply of housing sites to achieve the City's Regional Housing Needs Allocation (RHNA) numbers for the 2007-2014 planning period.		
Program H-1.2.1: Minimum Housing Densities As part of the comprehensive zoning ordinance update, establish minimum residential density requirements for all residential zoning districts and consider establishing floor-to-area ratio and maximum lot coverage provisions for single family neighborhoods to preserve community character.	The City has initiated the comprehensive Zoning Ordinance Update, through which this program will be implemented.	Continue.
Program H-1.2.2: No Net Loss of Residential Capacity Approve only those projects and general plan and zoning map amendments that do not result in an overall loss of the City's capacity to meet its Regional Housing Needs Allocation (RHNA) numbers for the current planning period. (Refer to State Government Code §65863)	The City did not approve any projects, General Plan or zoning map amendments that have resulted in an overall loss of the City's capacity to meet its RHNA for the current planning period.	Continue.
Program H-1.2.3: Residential Sites Inventory Continue to maintain and regularly update the City's Residential Sites Inventory as existing vacant and underutilized sites are developed over time. Develop a user friendly version of the inventory and make available for use by developers and general public via the City's Planning and Building Services Department website. Continue to identify additional sites for housing development, especially for extremely low, very low, and low-income households.	The City completed the Residential Site Inventory following adoption of the last Housing Element, which has been updated for the 5th cycle update. The inventory lists vacant or underutilized parcels zoned for residential development in Excel and GIS. It provides information about each site's development capacity and known constraints and remains consistent with the recently adopted Richmond General Plan 2030. The City has utilized the Residential Site Inventory to identify sites for affordable housing projects.	Continue. Make a user-friendly version of the inventory available to developers and the general public.
Program H-1.2.4: Residential Sites Marketing Hold an annual workshop to educate the private and non-profit development community about mixed-use housing development opportunities and incentives in Richmond, especially in its Form-Based Code and Priority Development Areas.	The City collaborates with local non-profit developers to provide marketing material for the City's housing programs. Several initiatives have been completed to encourage neighborhood participation in the City's foreclosure and predatory lending awareness. City staff continues to provide material to local organizations to explain its housing services. Outreach material is provided in person and in writing to assist individuals who do not have computer access or literacy. The program continues to be successful. The City continues to receive daily inquiries regarding existing housing programs.	Continue. Collaborate with local non-profit developers to provide marketing material for the City's various housing programs and services.

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Policy H-1.3 - Supply of Affordable Housing: Promote the development of homes that are affordable to extremely low, very low, low, and moderate-income households in all new residential developments as well as in existing single-family neighborhoods.		
Program H-1.3.1: Inclusionary Housing Ordinance Continue to implement the City's Inclusionary Housing Ordinance and examine recent court rulings that may affect its implementation and effectiveness.	The majority of developers elect to pay in-lieu fees as an alternative to providing the affordable units required under the City's Inclusionary Housing Ordinance. The City successfully increased the overall production of affordable housing in Richmond. However, the City would like to see more affordable units incorporated into market-rate housing projects. Also, local non-governmental organizations have suggested that the City's in-lieu fees should be increased to cover a higher proportion of the actual development cost per unit. Changes to the Inclusionary Housing Ordinance will be considered following resolution of the California Supreme Court's ruling in the inclusionary housing case, California Building Association v. City of San Jose case ("San Jose case"). Once the outcome of the case is known, the City will modify the Inclusionary Housing Ordinance in light of the Palmer v. City of Los Angeles case and complete a nexus study to establish an affordable Housing Impact Fee for rental projects.	Continue.
Program H-1.3.2: Inclusionary Housing Ordinance Study Study other inclusionary housing ordinances in the Bay Area to learn about effective practices being used to provide affordable housing, especially housing for extremely low, very low, and low-income households. Review how other cities have modified their inclusionary programs in response to recent court rulings, affordable housing nexus studies, and affordable housing impact fees. Consider recommending amendments to Richmond's inclusionary housing ordinance based on the study's findings and input from the community and residential developers. Ensure amendments do not constrain the overall production of housing in Richmond.	The City is undertaking a Residential Nexus Study to determine nexus support for affordable housing inclusionary and impact fee requirements on new residential development in Richmond. The City is waiting for a ruling by the California Supreme Court in the San Jose case before considering amendments to the inclusionary housing ordinance accordingly.	Continue. Consider removing/modifying once findings of nexus study are implemented.

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Program H-1.3.3: Inclusionary Housing Ordinance Performance Continue to monitor the effectiveness of the City's Inclusionary Housing Ordinance by including the following annual data as part of the Housing Element's Annual Progress Report (APR): • Amount of inclusionary housing in-lieu fees collected; • Balance of the inclusionary housing fee account; and • Expenditures made with funds from the inclusionary housing fee account.	The City will continue to examine other inclusionary housing ordinances in the State to learn about other incentives that could be used in Richmond to increase affordable housing production within market-rate housing developments.	Continue.
Program H-1.3.4: Community Land Trust Study Study existing community land trust (CLT) programs in California and determine whether it is feasible to establish a CLT program in Richmond as a way of providing permanently affordable housing. Consider recommending formation of a CLT program in Richmond based on the study's findings and input from the community.	Due to staffing and budget constraints, the City was unable to complete this study.	Continue. The City will seek other potential funding sources for this study.
Program H-1.3.5: Density Bonus for Extremely Low Income Housing Amend the City's Housing Density Bonus Ordinance to also allow density bonuses for developments that provide a percentage of their total units at rents or prices affordable to extremely low income households. Study other housing density bonus ordinances in the Bay Area to determine an appropriate percentage.	The City successfully amended its Zoning Ordinance to incorporate changes in the State's housing density bonus law (Richmond Municipal Code 15.04.810.050).	Delete. Program has been completed.
Program H-1.3.6: Affordable Housing Incentives Provide incentives for affordable housing developments that greatly exceed the City's Inclusionary Housing Ordinance requirements for very low, low and moderate-income households. Potential incentives include financial assistance, density bonuses, increased height limits, reduced parking requirements, development impact fee waivers or deferrals, and expedited review.	The City successfully amended its Zoning Ordinance to incorporate changes in the State's housing density bonus law that provides for incentives and concessions to be granted for project receiving a density bonus by the City ((Richmond Municipal Code 15.04.810.050).	Continue. Modify density bonus or inclusionary ordinance to incentivize the building of affordable housing units as part of housing development project.

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Policy H-1.4 - Variety of Housing Choices: Promote a variety of housing types that meet the different lifestyle and life cycle needs of residents including young adults, young couples and single professionals, small and large families, empty-nesters, and older couples.		
Program H-1.4.1: Variety of Housing Types As part of the Form-Based Code (FBC) for Macdonald Avenue, 23rd Street, and portions of San Pablo Avenue and the surrounding areas, facilitate and provide incentives for mixed-use housing over retail development and a variety of other housing types and products such as duplexes, triplexes, large apartment buildings, second dwelling units, courtyard housing, live-work units, condominiums, cooperative housing, single-room occupancy units (SROs), retirement/assisted living communities, and manufactured or modular housing. Potential incentives include financial assistance, fee deferrals, density bonuses, reduced parking requirements, and expedited review. The City will ensure that the FBC that is adopted will not result in the loss of capacity of sites identified to meet its Regional Housing Needs Allocation (RHNA) for the current planning period.	The City adopted a comprehensive update of its General Plan in April 2012 expanding its capability to provide adequate sites for single family and multifamily housing. The Richmond General Plan 2030 allows significantly higher densities in certain areas, increasing the feasibility of developing affordable units within market rate projects. The new General Plan also allows greater opportunities for live-work developments – a limited housing type in Richmond that is in growing demand. The Richmond Livable Corridors Form Based Code is expected to be adopted in Spring 2015, and the draft Richmond Bay Specific Plan is nearly complete. These planning efforts will promote and facilitate mixed-use development with a variety of housing types in Priority Development Areas in the City. Furthermore, the City has initiated the comprehensive Zoning Ordinance Update project, through which this program will be further implemented.	Continue and modify program to incorporate anticipated City-wide Zoning Ordinance Update.
Program H-1.4.2: Single-Room Occupancy Unit Inventory Develop an inventory of existing single-room occupancy units in Richmond. SROs provide an invaluable form of affordable housing for the homeless, lower-income individuals, seniors, and persons with disabilities. Identify funding sources to provide financial assistance for the preservation of existing SROs.	The City has not participated in the rehabilitation of Single Room Occupancy buildings since 2005. The City currently does not have a list of SROs in Richmond and an understanding of their need for rehabilitation and preservation.	Continue.

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Program H-1.4.3: Second Dwelling Unit Production Continue to facilitate the production of second dwelling units throughout Richmond's residential neighborhoods and amend the Zoning Ordinance to ensure compliance with State housing law. Consider the following second dwelling unit initiatives: • Reducing requirements such as minimum lot size, minimum open space requirements, and minimum parking requirements for second dwelling units built in Form-Based Code Areas; • Developing a set of pre-approved architectural and building plans for detached second dwelling units for use on typical residential lots in Richmond; • Developing handout materials to explain the benefits of second dwelling units, the City's application review process and requirements, and the average cost of developing a second dwelling unit in Richmond; and • Granting development impact fee waivers for property owners who contractually agree to restrict their second dwelling unit for extremely low, very low, and low-income households.	Between 2007 and 2014, the Planning and Building Services Department entitled the construction of over 15 second dwelling units. Residential property owners continue to be very interested in developing second dwelling units on their properties in order to house extended family or earn rental income. However, existing minimum lot size, unit size restrictions and additional parking space requirements limit the production of second dwelling units in the City.	Continue and modify to incorporate anticipated changes due to comprehensive Zoning Ordinance Update.
Program H-1.4.4: Garage Conversions As part of the Form-Based Code (FBC) for Macdonald Avenue, 23rd Street, and portions of San Pablo Avenue and the surrounding areas, consider reducing covered parking requirements and establishing design guidelines to facilitate garage conversions. Ensure that conversions do not deteriorate the architectural character of heritage homes in Richmond's older residential neighborhoods.	The Richmond Livable Corridors Form-Based Code is expected to be adopted in Spring 2015. The City has initiated the comprehensive Zoning Ordinance Update project, through which this program will be further implemented.	Continue and modify to incorporate anticipated changes due to City-wide Zoning Ordinance Update.

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Policy H-1.5 - Reduction of Housing Production Constraints: Implement measures to remove or reduce constraints to housing production in Richmond.		
Program H-1.5.1: One-Stop Permit Center Continue to operate the City's One-Stop Permit Center and develop a customer survey to identify potential improvements that would enhance customer service. Potential One-Stop Permit Center improvements include: • Establishing uniform customer service hours for all departments; • Improving the Center's way-finding signage to ensure customers are directed to the appropriate staff; • Standardizing application forms and submittal checklists for all Center departments; • Providing cross-training for all Center staff; • Developing a larger suite of customer handout materials for all departments participating in the Center; • Establishing a self-service information kiosk for customers; and • Educating customers about the City's website and online e-TRAKiT permit and record tracking system.	The City established its One-Stop Permit Center as part of its City Hall renovations in 2009. In 2008, the City implemented a new electronic permit tracking system called "TRAKiT." Project application materials such as project plans, staff reports, and approval letters are currently made available to the public through the online TRAKiT portal. In 2010, the Planning and Building Services Department completed a user fee study and readjusted its fees for its planning review and building permit fees. Implementation of the One-Stop Permit Center and new TRAKiT system has significantly improved the efficiency of the City's entitlement process. The One-Stop Permit Center requires each relevant department to be located on the same building floor, dramatically improving inter-departmental coordination on all project reviews.	Continue.
Program H-1.5.2: Expanded Ministerial Approvals and Administrative Reviews As part of the comprehensive Zoning Ordinance update, consider expanding the types of residential projects eligible for ministerial approval and administrative review.	The City has initiated the comprehensive Zoning Ordinance Update, through which this program will be implemented.	Continue.
Program H-1.5.3: Housing Developer Interviews Conduct interviews with representatives from the residential development community to identify different methods to streamline the City's development review and permitting process and while continuing to ensure high-quality and well-designed development.	Planning staff has conducted several interviews with housing developers as part of the close out of their project entitlement process. Many of the concerns expressed are related to the level of detail expected of developers at the design review stage.	Continue.
Program H-1.5.4: Fees for Expedited Review Consider establishing expedited review fees for all residential development projects and providing free expedited review for projects committing to levels for certification under recognized third-party rating systems such as Build-it-Green and LEED.	The City established an expedited permit plan check review in 2012 for building and fire permit plan review. Due to staff constraints free expedited review of certain project has not occurred.	Continue.

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Policy H-1.6 - Funding for Affordable Housing Development: Identify and secure funding sources to assist with affordable housing development.		
Program H-1.6.1: Low Moderate Income Housing Assets Fund Utilize resources in the City's Low and Moderate Income Housing Assets Fund (Low-Mod Fund) to continue providing affordable housing in Richmond. The Low Mod Fund was established by the City of Richmond as Successor Agency to the former Redevelopment Agency to allow for the transfer of agency assets prior to the dissolution of redevelopment agencies in California. Assets in the Low-Mod Fund include real and personal property, bond proceeds, and rent payments.	With the dissolution of RCRA, this funding is no longer available for projects not considered enforceable obligations. The Successor Agency to the RCRA is continuing to encourage the use of the remaining $1 million in LMIF for the Miraflores Senior Housing Project. Pursuant to AB1482, the Successor Agency was already directed by DOF to disburse over $3 million in LMIHF to taxing entities precluding their use in other housing development projects.	Modify to reflect loss of RCRA and loss of funding to project not considered enforceable obligations.
Program H-1.6.2: State and Federal Housing Funds Continue to aggressively compete for affordable housing funds provided by state and federal agencies such as HUD, U.S. Environmental Protection Agency (EPA), and the State HCD. Specifically target funding available for persons with special needs and disabilities.	The Housing and Community Development Division received approximately $3 million in CalHOME funds for owner-occupied rehabilitation loans to low income households. The Housing Authority has also received 27.2 million to rehabilitate Triangle Court (98 units) and Friendship Manor (58 units) using RAD program funds from HUD. Between 2007 and 2014, the Housing Authority expended approximately $700,000 per year in Capital Fund Program (CFP) (formerly Comprehensive Grant Program (CGP)) funds towards the modernization of the City's public housing developments.	Continue.
Program H-1.6.3: Shared Pool of Funds Work with local lending institutions to establish a shared pool of funds earmarked for affordable housing and somewhat less restrictive underwriting standards.	The City was unable to develop a shared pool a funds due to staffing and budgetary constraints. This program will be discontinued in order to focus efforts on other programs to develop affordable housing.	Delete.
Program H-1.6.4: Shared Equity Program Study Study existing shared-equity programs in California and determine whether it is feasible to establish a shared-equity program in Richmond as a way of providing more affordable housing. Under a shared-equity program, the City would provide funding to assist families with home purchases. In return for its investment, the City would share the benefits of any appreciation in home price. The City's share of the home's appreciation could be returned to the City in the form of a cash payment that could be used to help another family with a home purchase. The City's share could also stay with the home, reducing the cost of that home for the next family.	The City was unable to complete the Shared Equity Program Study due to staffing and budgetary constraints.	Continue and seek funding.

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Goal H-2: Better Neighborhoods and Quality of Life – Improve the quality of life for all residents and preserve and enhance Richmond's residential neighborhoods; specifically promote high quality living environments, address substandard conditions, preserve and modernize public housing, and conserve affordable housing at risk of converting to market rates.		
Policy/Program Description (Qualified or Quantified)	**Evaluation**	**Continue/Modify/Delete**
Policy H-2.1 – High-Quality Living Environments: Promote high-quality living environments by requiring exceptional architectural, urban, landscape, and green building design and by focusing residential development in areas that are within walking and biking distance of jobs, shopping, schools, recreation, entertainment, public transportation, and other community amenities.		
Program H-2.1.1: Development Impact Fees Continue to require residential developers to pay all applicable development impact fees to ensure that existing public infrastructure, services, and amenities are maintained and upgraded to adequately meet the needs of a growing city.	Development impact fees related to parks/open space, sewer, traffic, community/aquatics centers, storm drainage, library, police, and fire facilities continue to be collected as part of building permits issued for new development projects.	Continue.
Program H-2.1.2: Design Guidelines for Quality Housing As part of the Form-Based Code (FBC) for Macdonald Avenue, 23rd Street, and portions of San Pablo Avenue and the surrounding areas, establish design guidelines and development standards to ensure that near and long-term development and capital improvement projects substantially improve the quality of life for Richmond residents.	The Richmond Livable Corridors Form-Based Code is expected to be adopted in Spring 2015. As part of the FBC, architectural and sustainability guidelines are proposed to be adopted concurrently to ensure that near and long-term development and capital improvement projects substantially improve the quality of life for Richmond residents. The City has also initiated the comprehensive Zoning Ordinance Update project, through which this program will be further considered for implementation city-wide.	Continue.
Program H-2.1.3: Residential Design Guidelines for Additions to Heritage Homes Reinforce and enhance the architectural character of Richmond residential neighborhoods by continuing to implement the City's Residential Design Guidelines for Additions to Heritage Homes. The Guidelines were developed in 2008 and they set forth massing type and architectural style standards for additions to homes built before 1940. The architectural styles covered by the Guidelines are the Richmond Spanish Revival, Richmond Bungalow, Richmond Tudor, and Richmond Minimal Traditional. Additions to homes with these architectural styles must meet the design guidelines to obtain city approval.	Due to the downturn in the housing market during this planning period, very few property owners built additions to their existing homes. However, those additions that were proposed to heritage homes were evaluated for their conformance to the guidelines. The subject guidelines are available online and at the Planning Counter. The City has initiated the comprehensive Zoning Ordinance Update, through which this program will be further implemented.	Continue and modify to incorporate any anticipated changes due to City-wide Zoning Ordinance Update.

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Program H-2.1.4: Front Yard Requirements As part of the comprehensive Zoning Ordinance update, establish minimum landscaping and maximum concrete coverage requirements. Many residents throughout Richmond have replaced a substantial portion of their front yards with impervious concrete surfaces because the current landscaping requirements are not stringent enough. Front yards with a high concrete-to-landscaping ratio are visually unappealing and cumulatively degrade environmental quality by increasing the amount of stormwater run-off pollution.	The City has initiated the comprehensive Zoning Ordinance Update, through which this program will be implemented.	Continue and modify to incorporate any anticipated changes due to City-wide Zoning Ordinance Update.
Program H-2.1.5: Historic Structures Code Protect Richmond's historic resources and districts by continuing to implement the City's Historic Structures Code. The Code requires that exterior modifications and demolitions of historic resources be evaluated for consistency with the US Secretary of the Interior's Standards for the Treatment of Historic Properties. Amend the Code to streamline the review process. Ensure that demolitions do not result in a new source of neighborhood blight.	In 2013, the City amended its Municipal Code to streamline the review process for projects occurring in historic districts and/or involving historic structures. The amended Historic Structures Code is codified as Richmond Municipal Code 6.06.	Continue and modify to incorporate any anticipated changes due to City-wide Zoning Ordinance Update.
Policy H-2.2 – Green Building Measures and Practices: Promote the incorporation of green building measures and practices in new residential development projects and existing residential structures.		
Program H-2.2.1: California Green Building Standards Continue to enforce the State of California's Green Building Standards (CALGreen Code), which is intended to reduce construction waste, make buildings more efficient in the use of materials and energy, and reduce environmental impacts during and after construction.	Since January 1, 2010, the City has been requiring projects to comply with CALGreen. In addition the City developed sustainability guidelines as part of the Richmond Livable Corridors Form-Based Code to provide strategies on how specific measure can be integrated into different building types.	Continue.
Program H-2.2.2: Expansion of California Green Building Standards Study how other jurisdictions in California have expanded the scope and applicability of the CALGreen Code and consider recommending an ordinance based on this study's findings and input from the community and residential development community. As part of the study, consider establishing incentives such as fee deferrals, waivers and/or reductions and an expedited review process for projects meeting or exceeding CALGreen requirements.	As part of the Richmond Livable Corridors Form-Based Code, additional building incentives are included for projects that are LEED (or equivalent) certified.	Continue.

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Program H-2.2.3: Energy Program Referrals and Funding Continue to refer property owners to third-party organizations that provide energy programs like PG&E's Low Income Energy Savings Assistance Program and Contra Costa County's Weatherization Program. Continue to seek funding for innovative City-sponsored programs like the Richmond Recovery Rebate for Energy Upgrade California, Richmond Recovery Rebate for Solar, and Green Energy Training Services (GETS).	The Richmond Recovery Rebate (R3) program is a residential energy rebate program implemented by the City of Richmond Environmental Initiatives. The program was funded by the Energy Efficiency and Conservation Block Grant through the American Reinvestment and Recovery Act (ARRA). The City awarded a total of $378,121 to 203 projects, generating in the process $2,146,835 in total economic activity. The R3 program leveraged $913,606 in State and Regional rebates and $813,377 in private capital, or co-payments, by homeowners.	Continue and reflect R3 program.
Policy H-2.3: Preservation and Modernization of Public Housing – Preserve and systematically modernize Richmond's public housing developments.		
Program H-2.3.1: Conventional Public Housing Program Continue to successfully administer the City's Low Income Public Housing Program. Improve property management oversight for all public housing developments throughout Richmond and ensure an occupancy rate of no less than 98 percent. Continue to utilize the Capital Fund Program (CFP) to systematically modernize Richmond's public housing developments by enhancing their visual appearance and energy efficiency. Conduct a physical needs assessment for all public housing sites and establish a detailed capital improvement strategy as part of the assessment. Prioritize identified improvements as part of the Housing Authority's annual and five-year capital improvement plans.	All public housing developments maintained no less than 96 percent occupancy between 2007 and 2014, surpassing occupancy expectations. RHA property management efforts are reflected in the enhanced curb appeal of the public housing sites and the overall resident satisfaction. RHA conducted Physical Needs Assessments on all sites providing a detailed capital improvement strategy, moving forward. RHA also conducted energy audits and the work items generated from these audits were included in the 5-year capital improvement plan. The Low Income Public Housing Program provided affordable housing to over 715 households. This program was successful as all program objectives were met.	Continue.

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Policy H-2.4: Conservation of At-Risk Affordable Housing Units – Facilitate the conservation of subsidized housing developments that are at risk of converting to market rate housing.		
Program H-2.4.1: Monitoring Program for At-Risk Affordable Housing Units Establish a monitoring program for at-risk housing units in Richmond. As part of the monitoring program, check the conversion risk status on an annual basis and include the information as part of the Housing Element Annual Progress Report (APR).	The city has taken a proactive approach with local developers and property management teams to identify at-risk units and seek funding to avoid conversion where necessary. The monitoring program is a first line strategy to keep in touch with the status of units and maintain a relationship with development and management partners. The use of Section 8 project-based vouchers when available has been effective to close funding gaps that threaten the conversion of exiting affordable units. This program has been successful in both maintaining affordability and physical rehabilitation of units.	Continue.
Program H-2.4.2: Assistance for At-Risk Affordable Housing Units Provide technical assistance to organizations interested in purchasing and maintaining subsidized affordable housing units should property owners express interest in converting them to market rate. Provide education and technical assistance to tenants of units being converted to market rate uses.	The Housing and Community Development Division provided Federal funds to nonprofit developers to acquire and rehabilitate two properties: The Arbors Apartments – 36 permanently affordable units, and The Carquinez Sr. Apartments – 36 one bedroom units.	Continue.
Policy H-2.5: Abatement of Foreclosures, Substandard Housing, and Blight – Improve the physical, social, and economic health of neighborhoods by addressing foreclosures, substandard housing conditions, and neighborhood blight through an aggressive and balanced program of education, code enforcement, inspections, acquisition, and financial assistance.		
Program H-2.5.1: Online Housing Resource Center Continue providing comprehensive information and guidance on the City's website for residents facing foreclosure and those seeking assistance in areas such as home purchases, housing beautification, rehabilitation and seismic retrofits, energy conservation improvements, and locating special needs housing. Identify staff in the Housing and Community Development Department who can provide information about the National Mortgage Settlement Act and the State of California's Foreclosure Reform and Homeowner's Bill of Rights laws (SB 1137 and AB 2314).	The Housing and Community Development Division continues to maintain a website that provides information regarding affordable housing programs, foreclosure help, home repair programs, community services, and available funding.	Continue and modify to include resources for tenants, landlords, and property owners and managers.

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Program H-2.5.2: Housing Education Workshops and Outreach In partnership with community-based and non-profit organizations, hold a quarterly bilingual workshop to educate residents about various local housing issues and available resources. Together with community-based and non-profit organizations, seek funding for community outreach workers to reach homeowners and tenants at risk of losing their homes to foreclosure.	Together with Bay Area Legal Aid and Community Housing Development Corporation of North Richmond 244 individuals received legal services and 2,750 individuals and families received homebuyer and foreclosure counseling.	Continue and modify to include resources for tenants, landlords, and property owners and managers.
Program H-2.5.3: Vacant Foreclosed Residential Property Ordinance Consider adopting an ordinance that would require the registration of vacant foreclosed properties to protect residential and commercial areas from blight. Study the City of Los Angeles and City of Oakland ordinances as potential models.	A vacant property registration ordinance that included a $150 registration fee was adopted by the City in July 2014. As expected, the City has seen a large number of property owner's voluntarily registering their properties. As a result, the City has increased vacant property enforcement. The City is working on educating the community and property owners of this new ordinance by developing literature for mailings and using social media.	Continue and modify to reflect adoption of ordinance.
Program H-2.5.4: Code Enforcement for Residential Neighborhoods Continue to address foreclosures, substandard housing conditions, and neighborhood blight through aggressive code enforcement. Consider increasing current staffing levels to expand proactive code enforcement efforts in residential neighborhoods, especially in Central and North Richmond. Ensure that foreclosed properties are being properly maintained and fine lenders who do not address code enforcement issues promptly. As part of the Housing Element's Annual Progress Report (APR), include the total number of code enforcement cases opened for foreclosures, substandard housing conditions, and neighborhood blight. Also include the total amount of fines collected for these types of cases in the APR.	The City continues to aggressively address blight. Due to budget constraints, staffing levels have not increased; however, in 2014, 863 code enforcement cases were opened and $235,630.42 in blight-related penalties were assessed.	Continue.
Program H-2.5.5: Residential Rental Inspection Program Continue to implement the City's Residential Rental Inspection Program (RRIP), which requires regular, periodic inspections for property owners of three or more residential rental units. The RRIP exempts units subsidized by the City of Richmond and federal or state government. Newly constructed units are also exempted, but only for a period of five years from the date of construction.	The first 3-year inspection cycle for the RRIP began in 2006. Based on current numbers, there are 12,675 rental units in the RRIP program. In December 2014, the City amended its Residential Rental Dwelling Unit Inspection and Maintenance ordinance to include property owners of 1 or 2 rental units and identified approximately 8,000 rental units potentially subject to the program.	Continue.

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Program H-2.5.6: Soft-Story Building Inventory Continue to maintain the City's inventory of multi-story buildings with potential earthquake hazards and consider making it readily available to property owners and residents to raise awareness and encourage voluntary health and safety retrofits.	Planning Staff completed a preliminary Soft Story Inventory for multi-family properties in the City. The Planning and Building Division held a community workshop on Earthquake Hazard Reduction and Soft Story Buildings on August 31, 2011. The workshop included presentations by representatives from Association of Bay Area Governments (ABAG), Enginious Engineering and participation by local structural engineers and the California Apartment Association. The workshop provided information on the potential risks and hazards of Soft Story Buildings, provided information about financial and professional resources for interested property owners and discussed best practices and existing Soft Story Ordinances in neighboring cities. The Building Division has a webpage dedicated to providing additional information and resources for interested property owners. The Planning and Building Division will continue to gather information and engage the public regarding Earthquake Hazard Reduction and Soft Story Buildings.	Continue.
Program H-2.5.7: Soft-Story Building Ordinance Study soft-story building ordinances in California to learn about effective practices being used to incentivize the seismic retrofitting of hazardous multi-story buildings. Consider adopting a soft-story ordinance based on the study's findings and input from the community and landlords.	The City developed a webpage regarding earthquake safety and hazards http://www.ci.richmond.ca.us/index.aspx?nid=2378. The City has initiated the Zoning Ordinance Update and will consider a soft-story building ordinance as part of that effort.	Continue.
Program H-2.5.8: Neighborhood Stabilization Program Continue to utilize the Neighborhood Stabilization Program to acquire and rehabilitate foreclosed residential properties for affordable housing purposes and aggressively pursue additional funding for the program. Partner with local nonprofits to leverage available funds and support legislation, which would provide additional funding such as the proposed California Neighborhood Partnership Act of 2012 (AB 2477).	The Housing and Community Development Division acquired and rehabilitated 21 units using NSP 1 & 3 federal funds. There are currently 893 foreclosed properties in Richmond, and staff continue to monitor foreclosures in the City. There is no longer funding available for this program, however the City has developed the Richmond Housing Rehabilitation Loan Program, which will utilize Social Impact Bond Financing to implement the goals of this program.	Delete and incorporate into Program H-2.5.12: Richmond Housing Rehabilitation Loan Program.
Program H-2.5.9: Home Improvement Loan Program Continue providing the City's Home Improvement Loan Program (HILP) based on funding availability for the program. The HILP offers low interest loans to low-income homeowners for certain home improvement projects. The maximum home improvement loan amount is currently $35,000 and interest rates range from zero to three percent over a 15-year term.	The Housing and Community Development Division provided over 230 Owner- Occupied Rehabilitation Deferred Loans to low-income households. This program was very successful. Through the Home Improvement Loan Program, the City of Richmond is able to provide funding for additional loans. The City continues to have an annual waitlist of individuals interested in the program.	Continue.

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Program H-2.5.10: Mills Act Historical Property Contracts Begin utilizing Mills Act contract agreements to allow qualifying property owners to receive a potential property tax reduction and use the savings to assist with the rehabilitation, restoration, and maintenance of residential buildings designated as historic resources. Include annual Mills Act contract activity as part of the Housing Element's Annual Progress Report (APR).	Due to low property values and housing costs in Richmond during this planning period, little interest was expressed regarding Mill Act contracts. As these areas begin to improve, the City hopes owners of historic residential structures will consider this program as an incentive to rehabilitate their historic resource.	Continue.
Program H-2.5.11: Sanitary Sewer Lateral Grant Program Continue providing the City's Sewer Lateral Grant Program to help residents repair or replace private sewer mains and laterals. Under the Program, the City reimburses residents with up to 50 percent of the project costs, or $3,000, whichever is less.	The City instituted the sanitary sewer lateral grant program in 2008 and since then 787 grants have been issued totaling $1,742,299.61.	Continue.
Program H-2.5.12: Rental Rehabilitation Loan Program Continue providing the City's Rental Rehabilitation Loan Program (RRLP) based on funding availability for the program. The RRLP provides landlords with no-interest loans to upgrade substandard rental housing units for low-income tenants. The program requires landlords to provide a 50 percent match in funds. No minimum monthly payment is required, but program loans must be paid in full within ten years.	The Housing and Community Development Division provided approximately 10 Rental Rehabilitation Loans for low-income households. The City expects demand for this program to increase as the housing market improves. The program successfully created a steady revenue stream for program income. Due to decreased funds and changes in the housing market, the City provided fewer rental rehabilitation loans.	Continue.
Program H-2.5.13: Emergency Loan Program Continue providing the City's Emergency Loan Program based on funding availability for the program. The Emergency Loan Program offers low interest loans to homeowners with poor credit and in need of emergency home repairs. The maximum loan amount is $15,000 and interest rates range from zero to three percent. As part of the program, borrowers are required to obtain credit counseling services.	The City has been unable to provide Emergency loans to due to a lack of funding availability. The City will continue to seek potential funding sources and provide services as funding becomes available.	Continue.

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Program H-2.5.14: Richmond Effort to Abate Lead (Project Real) Continue to provide the City's Project Real Program based on funding availability for the program. Project REAL offers free in-home lead paint testing and remediation services to low-income families living in Richmond's Iron Triangle, Santa Fe, and North Richmond neighborhoods. To be eligible for the program, homes must have been constructed before 1978 and at least one child under the age of six must live in or visit the home frequently. The program also offers free blood lead testing for children under the age of six.	The City has received 3 -2 year, $2.4 million in grants from HUD for Project REAL-totaling $7.2 million. The City continues to pursue funding for this program.	Continue.
Program H-2.5.15: Deferred Loan Program Continue providing the City's Deferred Loan Program based on funding availability for the program. The Deferred Loan Program offers no-interest loans to low-income seniors and disabled homeowners for certain home improvement projects. The maximum home improvement loan amount is currently $60,000 and borrowers can defer loan payments until their home is refinanced or sold.	The Housing and Community Development Division provided over 150 Owner- Occupied Rehabilitation Deferred Loans to low-income households.	Incorporate into Home Improvement Loan Program (HILP, Program H-2.5.9) and delete. The City has consolidated all home improvement programs into the HILP to ensure program sustainability.
Program H-2.5.16: Richmond We Care Paint Program Continue providing the City's Richmond We Care Paint Program based on funding availability for the program. The Richmond We Care Paint Program offers free exterior home painting services for seniors and disabled residents.	From 2007-2014, over50 seniors were served through the Richmond We Care Program.	Incorporate into Home Improvement Loan Program (HILP, Program H-2.5.9) and delete. The City has consolidated all home improvement programs into the HILP to ensure program sustainability.
Program H-2.5.17: Ebb Everrett Helping Hand Program Continue to provide the City's Ebb Everrett Helping Hand Program based on funding availability for the program. The Ebb Everrett Helping Hand Program offers minor home rehabilitation services for seniors and disabled residents.	From 2007-2014, more than 50 homes were assisted through the Ebb Everett Helping Hand program.	Incorporate into Home Improvement Loan Program (HILP, Program H-2.5.9) and delete. The City has consolidated all home improvement programs into the HILP to ensure program sustainability.

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Program H-2.5.18: Foreclosure Loan Fund Seek funding for foreclosure loan fund program which would allow residents to buy their homes back as a way of saving their homes from foreclosure. Study the City of Oakland and Community Housing Development Corporation's programs as potential models.	The City was unable to identify a funding source for this program, but did obtain Neighborhood Stabilization Program money to purchase foreclosed properties, rehab them, and resell as affordable housing unit.	Continue and seek funding for this program.
Policy H-2.6: Toxic and Contaminated Sites – Continue to work with the appropriate local, state, and federal agencies to promote the clean-up and reuse of contaminated sites to protect human and environmental health.		
Program H-2.6.1: Site Remediation Require property owners to comply with state and federal requirements for site remediation as a condition for approving redevelopment on contaminated sites. In collaboration with other government agencies, utilize the Department of Toxic Substance Control (DTSC) Cortesie List to prioritize the remediation of city and non-city-owned property to protect human and environmental health. Seek state and federal funds to implement the necessary level of clean-up.	The City continues to work with DTSC to remediate toxic and contaminated sites throughout the City. During this planning period, the RCRA received funding from EPA and DTSC to complete clean-up of the Miraflores Housing site. Specifically, policies and programs to remediate contaminated sites are included in the Richmond Bay Specific Plan, and the City is working with DTSC and property owners in the Plan area to ensure clean up to levels that allow residential development.	Continue.

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Goal H-3: Expanded Housing Opportunities for Special Needs Groups – Promote the expansion of housing opportunities for all special needs groups, including seniors, persons with disabilities, single-parent households, first-time homebuyers, large families, and homeless individuals and families.		
Policy/Program Description (Qualified or Quantified)	**Evaluation**	**Continue/Modify/Delete**
Policy H-3.1: Senior Housing Development – Actively seek to expand the development of affordable housing for extremely low, very low, low and moderate-income seniors.		
Program H-3.1.1: Senior Housing Incentives Provide incentives for senior housing developments that provide a percentage of their total units at rents or prices affordable to extremely low, very low, low and moderate-income seniors. Potential incentives include financial assistance, density bonuses, increased height limits, reduced parking requirements, development fee waivers or deferrals, and expedited review.	The Macdonald Senior Housing Project, a 66-unit affordable senior rental housing development, was entitled during this period. Because of the affordable nature of the proposed project, the developer was allowed a 35 percent density increase, a reduction in the nominal open space requirement of 200 square feet per unit, and a reduced number of parking spaces for guests. This program has been successful as it has resulted in an increase of Richmond's senior housing stock.	Continue.
Program H-3.1.2: List of Senior Housing in Richmond Develop and maintain a comprehensive list of senior housing projects in Richmond and make it readily available to residents through the Online Housing Resource Center.	HCD is currently developing this list to make available on the HCD website.	Continue.
Policy H-3.2: Accessible Housing Opportunities – Actively seek to expand housing opportunities for persons with disabilities in new and existing single-family and multifamily developments.		
Program H-3.2.1: Accessible Housing Incentives Provide incentives for residential developments that make 15 percent or more of their total units accessible to persons with disabilities. Potential incentives include financial assistance, density bonuses, increased height limits, reduced parking requirements, development impact fee waivers or deferrals, and expedited review.	No governmental constraints to housing development for persons with disabilities were identified in any of the annual evaluations performed by Planning and Building Services Department staff. No additional standards are imposed beyond state and federal requirements. Entitlement fees for this housing type are calculated in the same manner as fees for other housing types. The City will continue to explore potential incentives based on applicable development standards, impacts to surrounding neighborhoods, and available staffing.	Continue.

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Program H-3.2.2: Enforcement of ADA Requirements Continue to enforce State accessibility and adaptability standards.	The Building Regulations Division continues to review all building permit applications for compliance with the State's Accessibility requirements. In addition, all public meetings comply with the State's ADA requirements.	Continue.
Program H-3.2.3: Reasonable Accommodation Ordinance Develop a reasonable accommodation ordinance using the State HCD Model Ordinance for Providing Reasonable Accommodation under Federal and State Fair Housing Laws. Having a codified standard procedure for reasonable accommodation requests will facilitate uniform and timely reviews.	The City has not yet adopted a reasonable accommodation ordinance. However, the Planning and Building Services Department routinely grants requests for reasonable accommodation in compliance with state and federal fair housing laws. The Planning and Building Services Department has granted all reasonable accommodation requests received to date and does not anticipate denying any future requests to comply with state and federal fair housing laws. Having a codified standard procedure for reasonable accommodation requests would ensure the City reviews and approves requests in a uniform and timely fashion and the City will consider this potential ordinance as part of the comprehensive Zoning Update project that has been initiated.	Continue.
Policy H-3.3: Child Daycare – Actively seek to expand child daycare opportunities to assist single-parent and dual-income households, especially those who are extremely low, very low, low, and moderate income.		
Program H-3.3.1: On-Site Child Daycare Services Identify potential incentives for development projects that make a commitment to provide on-site child daycare services for residents and employees.	As part of the City's Density Bonus Ordinance adopted in 2006, additional incentives, such as an additional density bonus or incentive/concession, are provided to affordable housing developments that include a child care facility on the premises of, as part of, or adjacent to, the project. As part of the Zoning Ordinance Update, the City will evaluate other potential incentives that can be considered for on-site child care services.	Continue.
Program H-3.3.2: List of Child Daycare Services in Richmond Develop and maintain a comprehensive list of childcare services that are available in Richmond and make it readily available through the Online Housing Resource Center.	The City provides funding for the Contra Costa Child Care Council which provides child care subsidies and referral services to the families in Richmond.	Continue. Add link to CC Child Care Council to HCD webpage.
Policy H-3.4: First-Time Homebuyer Opportunities – Actively seek to expand housing opportunities for extremely low, very low, low and moderate-income first-time homebuyers.		

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Program H-3.4.1: Credit Certificate Tax Credit Program Support and participate in the Mortgage Credit Certificate (MCC) Tax Credit Program administered by the Contra Costa County Department of Conservation and Development and make program information readily available through the Online Housing Resource Center. Also provide information about first-time homebuyer programs administered by local nonprofits such as Community Housing Development Corporation (CHDC).	The program was successful. The Mortgage Credit Certificates program assisted 29 homeowners between 2007 and 2014. The City's affordable homeownership counseling service providers assisted more than 3910 families.. Through Mortgage Credit Certificates, several families who needed additional funds to qualify to purchase homes are now homeowners.	Continue.
Policy H-3.5: Large-Family Housing - Actively seek to expand housing opportunities for large families that are extremely low, very low, low, and moderate income.		
Program H-3.5.1: Large-Family Housing Incentives Provide incentives for extremely low, very low, low, and moderate-income residential developments that include units with four or more bedrooms. Potential incentives include financial assistance, density bonuses, development impact fee waivers or deferrals, and expedited review.	Currently the City's Density Bonus Ordinance does not specify the amount of parking reductions. As part of the Zoning Ordinance Update, the City will evaluate potential incentives that can be considered for large-family households.	Continue.
Program H-3.5.2: Neighborhood Stabilization Program Utilize the Neighborhood Stabilization Program to acquire and rehabilitate foreclosed residential properties with four or more bedrooms and make them available to extremely low, very low, low, and moderate-income households.	The Housing and Community Development Division acquired and rehabilitated 21 units using NSP 1 & 3 federal funds. There is no longer funding available for this program, however the City has developed the Richmond Housing Rehabilitation Loan Program, which will utilize Social Impact Bond Financing to implement the goals of this program.	Delete and incorporate into Program H-2.5.12: Richmond Housing Rehabilitation Loan Program.

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Policy H-3.6: Emergency, Transitional, and Supportive Housing – Actively seek to expand emergency, transitional, and supportive housing to address homelessness in Richmond.		
Program H-3.6.1: Homelessness Coordination Efforts Participate in the Contra Costa HOME Consortium and the Contra Costa Interagency Council on Homelessness (CCICH) to identify and respond to the needs of homeless individuals and families in Richmond and surrounding communities. Prioritize implementation of the strategies and actions identified in the Consortium's Consolidated Plan and the CCICH 10-Year Homeless Plan.	The Redevelopment Agency collaborated with the County and local non-profits to develop Hope House—a long-term transitional housing project—and the Greater Richmond Interfaith Program (GRIP) Souper Center. GRIP provides emergency shelter and services for homeless individuals and families. Initially the GRIP program will provide up to40 beds in 23 dorm rooms and have 12 staff offices. The shelter is designed to expand up to 75 beds in those same 23 rooms and operate 365 days per year. This program was successful as two projects were successfully completed and occupied. The collaboration with the non-profits and service providers ensures the continued success of the program.	Continue and modify to reflect loss of RDA.
Program H-3.6.2: Zoning Ordinance Amendment to Comply with Senate Bill 2 (Emergency Shelters Supportive of Housing and Transitional Housing) Amend the Zoning Ordinance to ensure compliance with Senate Bill 2, which requires zoning to facilitate emergency shelters and limits the City's ability to deny emergency shelters and transitional and supportive housing under the Housing Accountability Act. The Zoning Code can include locational and operational criteria for homeless shelters such as hours of operation, provisions for operations and management, and compliance with County and State health and safety requirements for food, medical and other supportive services provided on-site.	The City is adopting SB 2 concurrently with this Housing Element Update and expects the ordinance to be adopted in May, 2015 and effective 30 days after adoption.	Delete to reflect adoption of SB2.
Program H-3.6.3: Funding for Emergency, Transitional, and Supportive Housing Support nonprofit organizations seeking funding sources for the establishment and operation of emergency, transitional, and supportive housing. Help secure financing that is periodically available under federal programs such as the Emergency Housing and Assistance Program (EHAP) and the Emergency Shelter Grant Program (ESG).	GRIP and the Bay Area Rescue Mission provides emergency shelter and services for homeless individuals and families. Initially the GRIP program will provide up to 40 beds in 23 dorm rooms and have 12 staff offices. The shelter is designed to expand up to 75 beds in those same 23 rooms and operate 365 days per year.	Continue.

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Goal H-4: Equal Housing Access for All – Strive to achieve equal housing access for all people regardless of race, religion, gender, marital status, age, ancestry, national origin, color, sexual orientation, familial status, source of income, or disability.		
Policy/Program Description (Qualified or Quantified)	**Evaluation**	**Continue/Modify/Delete**
Policy H-4.1: Rent Subsidies for Affordable Housing – Provide rent subsidies that assist extremely low and very low-income families, seniors, and persons with disabilities to afford decent, safe, and sanitary housing in the private market.		
Program H-4.1.1: Housing Choice Voucher Program Continue to administer the City's Section 8 Housing Choice Voucher Program and maximize the program's utilization. Continue monitoring key program performance indicators such as attrition rates, fail-to-lease ratios, and waitlist size. Continue to work with local affordable housing developers to provide project-based vouchers. Respond to any future Notices of Funding Availability (NOFA) and apply for more vouchers. Provide program information as part of the Online Housing Resource Center.	The Section 8 Certificate program successfully merged with the Section 8 Housing Choice Voucher Program. Since the merger, 1,668 vouchers have been issued (95% of the City's allocation). Program performance data for this program is no longer available given that the program was discontinued prior to 2001.	Continue.
Policy H-4.2: Tenant Protections – Explore reasonable and enforceable regulations that protect tenants from evictions and exorbitant rent increases and refer residents with issues such as foreclosures, landlord-tenant disputes, and unlawful evictions, and housing discrimination to counseling services.		
Program H-4.2.1: Enforcement of Just Cause for Eviction Ordinance Continue to enforce Richmond's Just Cause for Eviction Ordinance. The Ordinance was adopted in 2009 and provides protections for tenants in good standing from being evicted in the event of transfer of title or foreclosure.	This City has not received any formal complaints stating the Just Cause for eviction ordinance was violated.	Continue.
Program H-4.2.2: Expansion of Just Cause for Eviction Ordinance Analyze the effectiveness of the City's existing just cause for eviction ordinance applying to tenants in foreclosed properties. Study other just cause for eviction ordinances in California and evaluate whether to expand the City's ordinance so that it applies to all rental properties. The study should examine cities with both just cause for eviction protections and rent control ordinances and cities with just cause for eviction protections and no rent control ordinance. Consider recommending amendments to Richmond's ordinance based on the study's findings and input from the community and rental property owners.	The city is currently analyzing various models of expanded just cause ordinances and will be presenting a draft policy to the Council for feedback in May 2015.	Continue.

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Program H-4.2.3: Rent Control Ordinance Study Study rent control ordinances in California and evaluate whether to adopt a similar ordinance in Richmond to stabilize rents and establish a rent control board. As part of the study, review program components of other cities, the benefits and costs of rent control ordinances and boards, administration and legal requirements, and annual costs. Also analyze potential constraints and opportunities to implementing rent control in Richmond. Consider whether to recommend an ordinance based on this study's findings and extensive input from the community and rental property owners.	As part of the just cause for eviction policy study that is on-going, rent control ordinance are also examined at as many times they are linked with just cause ordinance.	Continue.
Program H-4.2.4: Counseling Service Referrals for Foreclosures, Landlord-Tenant Disputes, Unlawful Evictions, and Housing Discrimination Continue to refer homeowners, tenants, and landlords to third-party organizations such as Bay Area Legal Aid and 211 Bay Area for assistance with issues such as foreclosures, landlord-tenant disputes, unlawful evictions, and housing discrimination. Provide referral information as part of the Online Housing Resource Center.	Approximately 3411 homeowners and 3910 renters received default and delinquency counseling. The City also held 12 workshops. This program was successful as all program objectives were met.	Continue.

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Housing Goals, Policies and Programs

This section sets forth the City of Richmond's Housing Element goals, policies and programs intended to facilitate construction, preservation and conservation of affordable housing. These goals, policies and programs have been designed in collaboration with the community, including residents, community groups, developers, and other stakeholders.

The policies establish the strategies to achieve the goal. The programs under each policy identify the responsible agencies for program implementation, including the City's role in implementation; the implementation timeframe; regulatory, financing and subsidy tools anticipated; and specific quantified objectives to be achieved upon accomplishment of the programs.

Over the Housing Element planning period, approximately 2,643 housing units are anticipated to be constructed, rehabilitated and conserved in Richmond. **Table 5.60** shows these units by type of unit produced and by the affordability level of the unit.

Table 5.60
Quantified Objectives 2015-2023

Income Group	New Construction	Rehabilitation	Conservation and Preservation	Total
Extremely Low	219	400	300	**1,443**
Very Low	219			
Low	305			
Moderate	200	0	0	**200**
Above Moderate	1,000	0	0	**1,000**
Total	**1,943**	**400**	**300**	**2,643**

Source: Richmond Planning and Building Services Department.

In addition to requiring an analysis of the needs of extremely low-income households, State Housing Element law also requires the Housing Element to include programs to assist in the creation of housing for this segment of the population. The Housing Element sets forth several programs that help address the needs of extremely low-income households, including:

- H-1.2.3: Residential Sites Inventory;
- H-1.3.2: Inclusionary Housing Ordinance Study;
- H-1.3.5: Affordable Housing Incentives;
- H-1.4.3: Second Dwelling Unit Production;
- H-3.1.1: Senior Housing Incentives;
- H-3.5.1: Large-Family Housing Incentives;
- H-3.6.2: Funding for Emergency, Transitional and Supportive Housing.

Goals

The City's four housing goals are as follows:

Goal H-1: **A Balanced Supply of Housing**
Promote a balanced supply of housing types, densities, and prices to meet the needs of all income groups.

Goal H-2: **Better Neighborhoods and Quality of Life**
Improve the quality of life for all residents and preserve and enhance Richmond's residential neighborhoods; specifically promote high quality living environments, address substandard conditions, preserve and modernize public housing, and conserve affordable housing at risk of converting to market rates.

Goal H-3: **Expanded Housing Opportunities for Special Needs Groups**
Promote the expansion of housing opportunities for all special needs groups, including seniors, female-headed households, persons with disabilities, first-time homebuyers, large families, former prison inmates reentering the workforce, and homeless individuals and families.

Goal H-4: **Equal Housing Access for All**
Strive to achieve equal housing access for all people regardless of race, religion, gender, marital status, age, ancestry, national origin, color, sexual orientation, familial status, source of income, or disability.

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Goal H-1: A Balanced Supply of Housing

Promote a balanced supply of housing types, densities and prices to meet the needs of all income groups residing or who want to reside in Richmond.

Policy H-1.1: Housing Element Implementation

Coordinate and monitor the implementation of the City's Housing Element.

Program H-1.1.1: Housing Element Coordination Group

Convene quarterly meetings of the Housing Element Coordination Group (HECG) comprised of the Planning and Building Services Department, City Manager's Office, Housing and Community Development Department, Richmond Housing Authority, and Code Enforcement Division to coordinate implementation and review of the City's Housing Element Programs. HECG activities as part of the Housing Element's Annual Progress Report (APR).

Responsible Agency:	Planning & Building Services Department, City Manager's Department, Housing and Community Development Department, Housing Authority, Code Enforcement Division
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	a) One HECG meeting per quarter b) Activity summary in APRs

Program H-1.1.2: Housing Element Annual Progress Report

Utilize the forms and definitions adopted by the State HCD to prepare Annual Progress Reports (APR) on the ongoing implementation of the City's Housing Element Programs. The APR shall be prepared by the Housing Element Coordination Group (HECG) and copies of the report shall be provided to the public, Planning Commission, and City Council and formally submitted it to the State HCD.

Responsible Agency:	Planning and Building Services, Housing and Community Development Department, Housing Authority, Code Enforcement Division, City Manager's Office
Timeframe:	Ongoing
Funding Sources:	a) APRs to Cal HCD by April 1st of each calendar year b) APRs to HECG, Planning Commission, and City Council by June 1st of each calendar year

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Program H-1.1.3: ***Findings of Consistency***

Continue to require a written finding of consistency with the General Plan goals and policies prior to approving discretionary permits for residential development projects. Consider recommending Zoning Ordinance amendments to also require written findings of consistency with the City's other master planning documents such as the Pedestrian Plan, Bicycle Master Plan, and Parks Master Plan.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Develop recommendations for findings of consistency with other master planning documents as part of the comprehensive Zoning Ordinance Update in 2016

Program H-1.1.4: ***Compliance with Changes in State Housing Law***

Continually monitor changes in State housing law by subscribing to the State HCD publications. Promptly amend the City's plans and regulations to ensure ongoing compliance with State housing law.

Responsible Agency:	Planning and Building Services Department, Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Amendments within three months of changes to State housing law

Policy H-1.2: ***Adequate Supply of Housing Sites***

Ensure an adequate supply of housing sites to achieve the City's Regional Housing Needs Allocation (RHNA) numbers for the 2007-2014 planning period.

Program H-1.2.1: ***Minimum Housing Densities***

As part of the comprehensive zoning ordinance update, establish minimum residential density requirements for all residential zoning districts and consider establishing floor-to-area ratio and maximum lot coverage provisions for single-family neighborhoods to preserve community character.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Complete as part of comprehensive Zoning Ordinance update in 2016.

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Program H-1.2.2: ***No Net Loss of Residential Capacity***

Approve only those projects and general plan and zoning map amendments that do not result in an overall loss of the City's capacity to meet its Regional Housing Needs Allocation (RHNA) numbers for the current planning period. (Refer to State Government Code §65863)

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Not applicable

Program H-1.2.3: ***Residential Sites Inventory***

Continue to maintain and regularly update the City's Residential Sites Inventory as existing vacant and underutilized sites are developed over time. Develop a user-friendly version of the inventory and make available for use by developers and general public via the City's Planning and Building Services Department website. Continue to identify additional sites for housing development, especially for extremely low, very low, and low-income households. Include vacant and underutilized commercial and industrial land in the inventory to identify sites that may be attractive for residential development and to inform future changes to land use regulations. Demonstrate progress towards meeting the housing goals of the 2030 General Plan.

Responsible Agency:	Planning and Building Services Department, Housing and Community Development Department, IT/GIS Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	a) Annual updates b) User-friendly inventory by 12/31/16

Program H-1.2.4: ***Residential Sites Marketing***

Develop a comprehensive marketing and branding strategy for mixed-use housing development in the City that promotes the City's unique qualities and amenities, and coordinates with other large scale planning efforts such as the Richmond Livable Corridors Form-Based Code, the Richmond Bay Specific Plan, and the Berkeley Global Campus. Develop collateral material, attend real estate conferences, and ~~H~~hold ~~an~~ annual or bi-annual workshops to educate the private and non-profit development community about development opportunities and incentives in Richmond, especially in its Form-Based Code and Priority Development Areas.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	a) Host workshops annually b) Develop strategy and recommendations by 6/30/2017

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Policy H-1.3: ***Supply of Affordable Housing***

Promote the development of homes that are affordable to extremely low, very low, low, and moderate-income households in all new residential developments as well as in existing single-family neighborhoods.

Program H-1.3.1: ***Inclusionary Housing Ordinance***

Continue to implement the City's Inclusionary Housing Ordinance and consider revisions based on recent and pending court decisions and the policy objectives of the Housing Element.

Responsible Agency:	Planning and Building Services Department, Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Examine impacts within 3 months of final court rulings.

Program H-1.3.2: ***Inclusionary Housing Ordinance Study***

Study other inclusionary housing ordinances in the Bay Area to learn about effective practices being used to provide affordable housing, especially housing for extremely low, very low, and low-income households. Review how other cities have modified their inclusionary programs in response to recent court rulings, affordable housing nexus studies, affordable housing impact fees, and commercial linkage fees. Consider recommending amendments to Richmond's inclusionary housing ordinance based on the study's findings and input from the community and residential developers. Ensure amendments do not constrain the overall production of housing in Richmond.

Responsible Agency:	Planning and Building Services Department, Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	a) Study by 12/31/2016 b) Conduct outreach and make recommendations concurrent with the Zoning Ordinance Update in 2016.

Program H-1.3.3: ***Inclusionary Housing Ordinance Performance***

Continue to monitor the effectiveness of the City's Inclusionary Housing Ordinance by including the following annual data as part of the Housing Element's Annual Progress Report (APR):

- Amount of inclusionary housing in-lieu fees collected;
- Balance of the inclusionary housing fee account; and
- Expenditures made with funds from the inclusionary housing fee account.

Responsible Agency:	Planning and Building Services Department, Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Data included in APRs

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Program H-1.3.4: ***Community Land Trust Study***

Study existing community land trust (CLT) programs in California and determine whether it is feasible to establish a CLT program in Richmond as a way of providing permanently affordable housing. Consider recommending formation of a CLT program in Richmond based on the study's findings and input from the community.

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	a) Identify potential funding sources by 12/31/2016 b) Study and recommendation by 12/31/17

Program H-1.3.5: ***Affordable Housing Incentives***

Modify the City inclusionary housing ordinance to provide incentives for developers to build the required percentage of affordable housing units as part of developments projects. Consider an additional density bonus or other incentives for affordable and multi-family housing developments that use a local workforce.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Incentives by 12/31/17

Policy H-1.4: ***Variety of Housing Choices and Access***

Promote a variety of housing types that meet the different lifestyle and life cycle needs of residents including young adults, young couples and single professionals, small and large families, empty-nesters, and older couples.

Program H-1.4.1: ***Variety of Housing Types***

As part of the Richmond Livable Corridors Form-Based Code (FBC) for Macdonald Avenue, 23rd Street, and portions of San Pablo Avenue and the surrounding areas, facilitate and provide incentives for mixed-use housing over retail development and a variety of other housing types and products such as duplexes, triplexes, large apartment buildings, second dwelling units, courtyard housing, live-work units, condominiums, cooperative housing, single-room occupancy units (SROs), retirement/assisted living communities, and manufactured or modular housing. Potential incentives include financial assistance, fee deferrals, density bonuses, reduced parking requirements, and expedited review. The City will ensure that the FBC that is adopted will not result in the loss of capacity of sites identified to meet its Regional Housing Needs Allocation (RHNA) for the current planning period. When considering parking reductions, the City will develop parking demand models and review successful demand management programs in other jurisdictions to ensure supply efficiently meets demand.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Implement as part of comprehensive Zoning Ordinance Update in 2016.

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Program H-1.4.2: ***Single-Room Occupancy Unit Inventory***

Develop an inventory of existing single-room occupancy units in Richmond. SROs provide an invaluable form of affordable housing for the homeless, lower-income, re-entry, individuals, seniors, and persons with disabilities with fixed or little income. Identify funding sources to provide financial assistance for the preservation of existing SROs.

Responsible Agency:	Planning and Building Services Department, Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Inventory by 12/31/16

Program H-1.4.3: ***Second Dwelling Unit Production***

Continue to facilitate the production of second dwelling units throughout Richmond's residential neighborhoods and amend the Second Dwelling Unit Ordinance to ensure compliance with State housing law.

Consider the following second dwelling unit initiatives:

- Reducing requirements such as minimum lot size, minimum open space requirements, and minimum parking requirements for second dwelling units;
- Developing a set of pre-approved architectural and building plans for detached second dwelling units for use on typical residential lots in Richmond;
- Developing handout materials to explain the benefits of second dwelling units, the City's application review process and requirements, and the average cost of developing a second dwelling unit in Richmond; and
- Granting development impact fee waivers for property owners who contractually agree to restrict their second dwelling unit for extremely low, very low, and low-income households.

Responsible Agency:	Planning and Building Services Department, Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Zoning ordinance amendments to comply with State housing law governing second dwelling units as part of comprehensive Zoning Ordinance Update in 2016.

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Program H-1.4.4: ***Garage Conversions***

As part of the Richmond Livable Corridors Form-Based Code (FBC) for Macdonald Avenue, 23rd Street, and portions of San Pablo Avenue and the surrounding areas, consider reducing covered parking requirements and establishing design guidelines to facilitate appropriate garage conversions. Ensure that conversions do not deteriorate the architectural character of heritage homes in Richmond's heritage residential neighborhoods. When considering parking reductions, the City will develop parking demand models and review successful demand management programs in other jurisdictions to ensure supply efficiently meets demand.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Implement as part of comprehensive Zoning Ordinance Update in 2016.

Program H-1.4.5: ***Alternative Housing Types***

Identify alternative housing types, such as "Tiny Housing" and compact lot development, study approaches successfully implemented in other jurisdictions, and amend zoning regulations and development standards to accommodate these housing types consistent with the community's needs and the quality and character of existing neighborhoods.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Implement as part of comprehensive Zoning Ordinance Update in 2016.

Policy H-1.5: ***Reduction of Housing Production Constraints***

Implement measures to remove or reduce constraints to housing production in Richmond.

Program H-1.5.1: ***One-Stop Permit Center***

Continue to operate the City's One-Stop Permit Center and develop a customer survey to identify potential improvements that would enhance customer service. Potential One-Stop Permit Center improvements include:

- Establishing uniform customer service hours for all departments;
- Improving the Center's wayfinding signage to ensure customers are directed to the appropriate staff;
- Standardizing application forms and submittal checklists for all Center departments;
- Providing cross-training for all Center staff;
- Developing a larger suite of customer handout materials for all departments participating in the Center;

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- Establishing a self-service information kiosk for customers; and
- Educating customers about the City's website and online e-TRAKiT permit and record tracking system.

Responsible Agency: Planning and Building Services Department
Timeframe: Ongoing
Funding Sources: General Fund
Quantified Objective: Develop and administer survey by 12/31/1016.

Program H-1.5.2: ***Expanded Ministerial Approvals and Administrative Reviews***
As part of the comprehensive Zoning Ordinance update, consider expanding the types of residential projects eligible for ministerial approval and administrative review.

Responsible Agency: Planning and Building Services Department
Timeframe: Ongoing
Funding Sources: General Fund
Quantified Objective: Implement as part of comprehensive Zoning Ordinance Update in 2016.

Program H-1.5.3: ***Housing Developer Interviews***
Conduct interviews with representatives from the residential development community to identify different methods to streamline the City's development review and permitting process and while continuing to ensure high-quality and well-designed development.

Responsible Agency: Planning and Building Services Department
Timeframe: Ongoing
Funding Sources: General Fund
Quantified Objective: Continue to administer interviews as part of close out process.

Program H-1.5.4: ***Fees for Expedited Review***
Consider establishing expedited review fees for all residential development projects that provide housing for target needs.

Responsible Agency: Planning and Building Services Department
Timeframe: Ongoing
Funding Sources: General Fund
Quantified Objective: Recommendations by 12/31/16

Policy H-1.6: ***Funding for Affordable Housing Development***
Identify and secure funding sources to assist with affordable housing development.

Program H-1.6.1: ***Low Moderate Income Housing Assets Fund***
Utilize resources in the City's Low and Moderate Income Housing Assets Fund (Low-Mod Fund) to continue providing affordable housing in Richmond.

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The Low-Mod Fund was established by the City of Richmond as Successor Agency to the former Redevelopment Agency to allow for the transfer of agency assets prior to the dissolution of redevelopment agencies in California. Assets in the Low-Mod Fund include real and personal property, bond proceeds, and rent payments. The City will identify and proactively seek new funding for low and moderate income housing assets, including social impact bond financing.

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	Low-Mod Fund
Quantified Objective:	Not applicable

Program H-1.6.2: ***State and Federal Housing Funds***

Continue to aggressively compete for affordable housing funds provided by state and federal agencies such as HUD, U.S. Environmental Protection Agency (EPA), and the State HCD. Specifically target funding available for persons with special needs and disabilities.

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Not applicable

Program H-1.6.3: ***Shared Equity Program Study***

Study existing shared-equity programs in California and determine whether it is feasible to establish a shared-equity program in Richmond as a way of providing more affordable housing. Under a shared-equity program, the City would provide funding to assist families with home purchases. In return for its investment, the City would share the benefits of any appreciation in home price. The City's share of the home's appreciation could be returned to the City in the form of a cash payment that could be used to help another family with a home purchase. The City's share could also stay with the home, reducing the cost of that home for the next family.

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	a) Study by ~~10/1/13~~12/31/16 b) Recommendations by 12/31/~~16~~17

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Goal H-2: Better Neighborhoods and Quality of Life

Improve the quality of life for all residents and preserve and enhance Richmond's residential neighborhoods; specifically promote high quality living environments, address substandard conditions, preserve and modernize public housing, and conserve affordable housing at risk of converting to market rate.

Policy H-2.1: High-Quality Living Environments

Promote high-quality living environments by requiring exceptional architectural, urban, landscape, and sustainable building design and by focusing residential development in areas that are within walking and biking distance of jobs, shopping, schools, recreation, entertainment, public transportation, and other community amenities.

Program H-2.1.1: Development Impact Fees

Continue to require residential developers to pay all applicable development impact fees to ensure that existing public infrastructure, services, and amenities are maintained and upgraded to adequately meet the needs of a growing city.

Responsible Agency: Planning and Building Services Department
Timeframe: Ongoing
Funding Sources: General Fund
Quantified Objective: Not applicable

Program H-2.1.2: Design Guidelines for Quality Housing

As part of the Richmond Livable Corridors Form-Based Code (FBC) for Macdonald Avenue, 23rd Street, and portions of San Pablo Avenue and the surrounding areas, establish design guidelines and development standards to ensure that near and long-term development and capital improvement projects substantially improve the quality of life for Richmond residents.

Responsible Agency: Planning and Building Services Department
Timeframe: Ongoing
Funding Sources: General Fund
Quantified Objective: Implement as part of comprehensive Zoning Ordinance Update in 2016.

Program H-2.1.3: Residential Design Guidelines for Additions to Heritage Homes

Reinforce and enhance the architectural character of Richmond residential neighborhoods by continuing to implement the City's Residential Design Guidelines for Additions to Heritage Homes. The Guidelines were developed in 2008 and they set forth massing type and architectural style standards for additions to homes built before 1940. The architectural styles covered by the Guidelines are the Richmond Spanish Revival, Richmond Bungalow, Richmond Tudor, and Richmond Minimal Traditional. Additions to homes with these architectural styles must meet the design guidelines to obtain city approval.

Responsible Agency: Planning and Building Services Department
Timeframe: Ongoing
Funding Sources: General Fund and Comprehensive Planning Fee
Quantified Objective: Not applicable

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Program H-2.1.4: ***Front Yard Requirements***

As part of the comprehensive Zoning Ordinance update, establish minimum landscaping and maximum concrete coverage requirements. Many residents throughout Richmond have replaced a substantial portion of their front yards with impervious concrete surfaces because the current landscaping requirements are not stringent enough. Front yards with a high concrete-to-landscaping ratio are visually unappealing and cumulatively degrade environmental quality by increasing the amount of stormwater run-off pollution.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Implement as part of comprehensive Zoning Ordinance Update in 2016.

Program H-2.1.5: ***Historic Structures Code***

Protect Richmond's historic resources and districts by continuing to implement the City's Historic Structures Code. The Code requires that exterior modifications and demolitions of historic resources be evaluated for consistency with the US Secretary of the Interior's Standards for the Treatment of Historic Properties. Amend the Code to streamline the review process. Ensure that demolitions do not result in a new source of neighborhood blight.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Recommendations by 12/31/2016

Policy H-2.2: ***Green Building Measures and Practices***

Promote the incorporation of green building measures and practices in new residential development projects and existing residential structures.

Program H-2.2.1: ***California Green Building Standards***

Continue to enforce the State of California's Green Building Standards (CALGreen Code), which is intended to reduce construction waste, make buildings more efficient in the use of materials and energy, and reduce environmental impacts during and after construction.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Not applicable

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Program H-2.2.2: ***Expansion of California Green Building Standards***

Study how other jurisdictions in California have expanded the scope and applicability of the CALGreen Code and consider recommending an ordinance based on this study's findings and input from the community and residential development community. As part of the study, consider establishing incentives such as fee deferrals, waivers and/or reductions and an expedited review process for projects meeting or exceeding CALGreen requirements.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Implement through the Richmond Livable Corridors Form-Based Code and as part of comprehensive Zoning Ordinance Update in 2016.

Program H-2.2.3: ***Energy Program Referrals and Funding***

Continue to refer property owners to third-party organizations that provide energy programs like PG&E's Low Income Energy Savings Assistance Program and Contra Costa County's Weatherization Program. Continue to seek funding for innovative City-sponsored programs like the Richmond Recovery Rebate for Energy Upgrade California, Richmond Recovery Rebate for Solar, and Green Energy Training Services (GETS).

Responsible Agency:	City Manager's Office
Timeframe:	Ongoing
Funding Sources:	General Fund, Grant funding
Quantified Objective:	Referrals upon request

Policy H-2.3: ***Preservation and Modernization of Public Housing***

Preserve and systematically modernize Richmond's public housing developments.

Program H-2.3.1: ***Conventional Public Housing Program***

Continue to successfully administer the City's Low Income Public Housing Program. Improve property management oversight for all public housing developments throughout Richmond and ensure an occupancy rate of no less than 98 percent. Continue to utilize the Capital Fund Program (CFP) to systematically modernize Richmond's public housing developments by enhancing their visual appearance and energy efficiency. Conduct a physical needs assessment for all public housing sites and establish a detailed capital improvement strategy as part of the assessment. Prioritize identified improvements as part of the Housing Authority's annual and five-year capital improvement plans.

Responsible Agency:	Richmond Housing Authority
Timeframe:	Ongoing
Funding Sources:	HUD Capital Fund Program, alternative sources
Quantified Objective:	Modernize remaining public housing units by 12/31/16

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Policy H-2.4: ***Conservation of At-Risk Affordable Housing Units***

Facilitate the conservation of subsidized housing developments that are at risk of converting to market rate housing.

Program H-2.4.1: ***Monitoring Program for At-Risk Affordable Housing Units***

Establish a monitoring program for at-risk housing units in Richmond. As part of the monitoring program, check the conversion risk status on an annual basis and include the information as part of the Housing Element Annual Progress Report (APR).

Responsible Agency:	Housing and Community Development Department, Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	At-risk data in APRs

Program H-2.4.2: ***Assistance for At-Risk Affordable Housing Units***

Provide technical assistance to organizations interested in purchasing and maintaining subsidized affordable housing units should property owners express interest in converting them to market rate. Provide education and technical assistance to tenants of units being converted to market rate uses.

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Not applicable

Policy H-2.5: ***Abatement of Foreclosures, Substandard Housing, and Blight***

Improve the physical, social, and economic health of neighborhoods by addressing foreclosures, substandard housing conditions, and neighborhood blight through an aggressive and balanced program of education, code enforcement, inspections, acquisition, and financial assistance.

Program H-2.5.1: ***Online Housing Resource Center***

Continue providing comprehensive information and guidance on the City's website for residents facing foreclosure and those seeking assistance in areas such as home purchases, housing beautification, rehabilitation and seismic retrofits, energy conservation improvements, and locating special needs housing. Identify staff in the Housing and Community Development Department who can provide information about the National Mortgage Settlement Act and the State of California's Foreclosure Reform and Homeowner's Bill of Rights laws (SB 1137 and AB 2314). Expand the Online Housing Resource Center to include information on tenant rights, as well as relevant state law and city ordinance and policies for property owners, landlords and property managers.

Responsible Agency:	Housing and Community Development Department, Planning and Building Services Department, Code Enforcement Division, City Manager's Office

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Timeframe: Ongoing
Funding Sources: General Fund
Quantified Objective: Updated website and point of contact by 12/31/16

Program H-2.5.2: ***Housing Education Workshops and Outreach***

In partnership with community-based and non-profit organizations, hold a quarterly bilingual workshop to educate residents, landlords, and property owners and managers about various local housing issues and available resources. Together with community-based and non-profit organizations, seek funding for community outreach workers to reach homeowners and tenants at risk of losing their homes to foreclosure.

Responsible Agency: Housing and Community Development Department, Planning and Building Services Department, Code Enforcement Division, City Manager's Office
Timeframe: Ongoing
Funding Sources: General Fund
Quantified Objective: One public workshop per quarter

Program H-2.5.3: ***Vacant Residential Property Ordinance***

~~Consider adopting an ordinance that would require the registration of vacant and/or foreclosed properties to protect residential and commercial areas from blight. Study the City of Los Angeles and City of Oakland ordinances as potential models.~~Continue to improve code enforcement and promote the registration of vacant and/or underutilized properties under the recently adopted ordinance. Develop informational outreach materials for potential new registrants, and make available at the City and online.

Responsible Agency: Code Enforcement
Timeframe: Ongoing
Funding Sources: General Fund
Quantified Objective: Outreach materials by 12/31/2016

Program H-2.5.4: ***Code Enforcement for Residential Neighborhoods***

Continue to address foreclosures, substandard housing conditions, and neighborhood blight through aggressive code enforcement. Consider increasing current staffing levels to expand proactive code enforcement efforts in residential neighborhoods, especially in Central and North Richmond. Ensure that foreclosed properties are being properly maintained and fine lenders who do not address code enforcement issues promptly. As part of the Housing Element's Annual Progress Report (APR), include the total number of code enforcement cases opened for foreclosures, substandard housing conditions, and neighborhood blight.
Also include the total amount of fines collected for these types of cases in the APR.

Responsible Agency: Code Enforcement
Timeframe: Ongoing
Funding Sources: General Fund, Code Enforcement Fines
Quantified Objective: Code enforcement data in APRs

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Program H-2.5.5: ***Residential Rental Inspection Program***

Continue to operate the City's Residential Rental Inspection Program (RRIP), which requires regular, periodic inspections for property owners of three or more residential rental units and continue to implement an inspections process for property owners of 1 or 2 rental units. The RRIP exempts units subsidized by the City of Richmond and federal or state government. Newly constructed units are also exempted, but only for a period of five years from the date of construction.

Responsible Agency: Planning and Building Services Department

Timeframe: Ongoing
Funding Sources: General Fund, Code Enforcement Fines
Quantified Objective: Not applicable

Program H-2.5.6: ***Soft-Story Building Inventory***

Continue to maintain the City's inventory of multi-story buildings with potential earthquake hazards and consider making it readily available to property owners and residents to raise awareness and encourage voluntary health and safety retrofits.

Responsible Agency: Planning and Building Services Department
Timeframe: Ongoing
Funding Sources: General Fund, Code Enforcement Fines
Quantified Objective: Not applicable

Program H-2.5.7: ***Soft-Story Building Ordinance***

Study soft-story building ordinances in California to learn about effective practices being used to incentivize the seismic retrofitting of hazardous multi-story buildings. Consider adopting a soft-story ordinance based on the study's findings and input from the community and landlords.

Responsible Agency: Code Enforcement
Timeframe: Ongoing
Funding Sources: General Fund, Code Enforcement Fines
Quantified Objective: a) Recommendations by 12/31/16
b) Draft Ordinance by 12/31/17

Program H-2.5.8: Home Improvement Loan Program

Continue providing the City's Home Improvement Loan Program (HILP) based on funding availability for the program. The HILP offers low interest loans to low-income homeowners for certain home improvement projects. The City will give special consideration to seniors and persons with disabilities. The maximum home improvement loan amount is currently $35,000 and interest rates range from zero to three percent over a 15-year term.

Responsible Agency: Housing and Community Development Department
Timeframe: Ongoing
Funding Sources: CDBG and State of California- CalHOME
Quantified Objective: Assistance commensurate with demand and funding

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Program H-2.5.9: ***Mills Act Historical Property Contracts***

Begin utilizing Mills Act contract agreements to allow qualifying property owners to receive a potential property tax reduction and use the savings to assist with the rehabilitation, restoration, and maintenance of residential buildings designated as historic resources. Include annual Mills Act contract activity as part of the Housing Element's Annual Progress Report (APR).

Responsible Agency:	Planning and Building Services
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Data in APRs

Program H-2.5.10: ***Sanitary Sewer Lateral Grant Program***

Continue providing the City's Sewer Lateral Grant Program to help residents repair or replace private sewer mains and laterals. Under the Program, the City reimburses residents with up to 50 percent of the project costs, or $3,000, whichever is less.

Responsible Agency:	Engineering and Wastewater
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Full utilization of program's annual budget allocation

Program H-2.5.11: ***Rental Rehabilitation Loan Program***

Continue providing the City's Rental Rehabilitation Loan Program (RRLP) based on funding availability for the program. The RRLP provides landlords with no-interest loans to upgrade substandard rental housing units for low-income tenants. The program requires landlords to provide a 50 percent match in funds. No minimum monthly payment is required, but program loans must be paid in full within ten years.

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	CDBG and State of California- CalHOME
Quantified Objective:	Assistance commensurate with demand and funding

Program H-2.5.12: ***Richmond Housing Rehabilitation Loan Program***

Identify, acquire, rehabilitate and sell dilapidated, abandoned, vacant and foreclosed housing stock to stabilize neighborhoods and create clean, safe and decent housing and provide opportunities for first time homebuyers. Program objectives will be met by creating Social Impact Bond Financing that will recycle funding to maximize the number of housing units that will be rehabilitated. The program will also provide opportunities for local hiring and will implement Richmond Build personnel.

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	Social Impact Bond Financing
Quantified Objective:	Assistance commensurate with demand and funding

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Program H-2.5.13: ***Emergency Loan Program***

Continue providing the City's Emergency Loan Program based on funding availability for the program. The Emergency Loan Program offers low interest loans to homeowners with poor credit and in need of emergency home repairs. The maximum loan amount is $15,000 and interest rates range from zero to three percent. As part of the program, borrowers are required to obtain credit counseling services.

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	CDBG and State of California- CalHOME
Quantified Objective:	Assistance commensurate with demand and funding

Program H-2.5.14: ***Richmond Effort to Abate Lead (Project Real)***

Continue to provide the City's Project Real Program based on funding availability for the program. Project REAL offers free in-home lead paint testing and remediation services to low-income families living in Richmond's Iron Triangle, Santa Fe, and North Richmond neighborhoods. To be eligible for the program, homes must have been constructed before 1978 and at least one child under the age of six must live in or visit the home frequently. The program also offers free blood lead testing for children under the age of six.

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	CDBG and State of California, CalHOME
Quantified Objective:	Assistance commensurate with demand and funding

Program H-2.5.15: ***Foreclosure Loan Fund***

Seek funding for foreclosure loan fund program which would allow residents to buy their homes back as a way of saving their homes from foreclosure. Study the City of Oakland and Community Housing Development Corporation's programs as potential models.

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	Outside finding sources, as available
Quantified Objective:	Not applicable

Policy H-2.6: ***Toxic and Contaminated Sites***

Continue to work with the appropriate local, state, and federal agencies to promote the clean-up and reuse of contaminated sites to protect human and environmental health.

Program H-2.6.1: ***Site Remediation***

Require property owners to comply with state and federal requirements for site remediation as a condition for approving redevelopment on contaminated sites. In collaboration with other government agencies, utilize the Department of Toxic Substance Control (DTSC) Cortesie List to prioritize the remediation of city and non-city-owned property to protect human and environmental health. Seek state and federal funds to implement the necessary level of clean-up.

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Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Not applicable

Policy H-2.7: ***Balanced Neighborhoods***

Encourage a balance of housing incomes within neighborhoods to ensure a healthy mix of affordable and market rate housing and to de-concentrate poverty.

Program H-2.7.1: ***Higher Density Residential Land***

Ensure sufficient higher density residential land feasible for affordable housing development is available throughout the City.- The City will consider local parking demand in areas with potential for higher density residential and mixed-use development, and develop parking demand management measures to ensure the efficient use of land for parking.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Implement as part of comprehensive Zoning Ordinance Update in 2016

Program H-2.7.2: ***Balanced Housing Development***

Work with nonprofit and for profit housing developers to encourage mixed-income housing developments.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Not applicable

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Goal H-3: Expanded Housing Opportunities for Special Needs Groups

Promote the expansion of housing opportunities for all special needs groups, including seniors, persons with disabilities, single-parent households, first-time homebuyers, large families, former prison inmates reentering the workforce, and homeless individuals and families.

Policy H-3.1: Senior Housing Development

Actively seek to expand the development of affordable housing for extremely low, very low, low and moderate-income seniors.

Program H-3.1.1: Senior Housing Incentives

Provide incentives for senior housing developments that provide a percentage of their total units at rents or prices affordable to extremely low, very low, low and moderate-income seniors. Potential incentives include financial assistance, density bonuses, increased height limits, reduced parking requirements, development fee waivers or deferrals, and expedited review.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Incentives by 12/31/16

Program H-3.1.2: List of Senior Housing in Richmond

Develop and maintain a comprehensive list of senior housing projects in Richmond and make it readily available to residents through the Online Housing Resource Center.

Responsible Agency:	Housing and Community Development Department, Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	List available on City website by 12/31/16

Policy H-3.2: Accessible Housing Opportunities

Actively seek to expand housing opportunities for persons with disabilities in new and existing single-family and multifamily developments.

Program H-3.2.1: Accessible Housing Incentives

Provide incentives for residential developments that make 15 percent or more of their total units accessible to persons with disabilities. Potential incentives include financial assistance, density bonuses, increased height limits, reduced parking requirements, development impact fee waivers or deferrals, and expedited review.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Incentives by 12/31/16

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Program H-3.2.2: ***Enforcement of ADA Requirements***

Continue to enforce State accessibility and adaptability standards.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Not applicable

Program H-3.2.3: ***Reasonable Accommodation Ordinance***

Develop a reasonable accommodation ordinance using the State HCD Model Ordinance for Providing Reasonable Accommodation under Federal and State Fair Housing Laws. Having a codified standard procedure for reasonable accommodation requests will facilitate uniform and timely reviews.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Develop Ordinance in coordination with the comprehensive Zoning Ordinance Update in 2016

Policy H-3.3: ***Child Daycare***

Actively seek to expand child daycare opportunities to assist single-parent and dual-income households, especially those who are extremely low, very low, low, and moderate income.

Program H-3.3.1: ***On-Site Child Daycare Services***

Identify potential incentives for development projects that make a commitment to provide on-site child daycare services for residents and employees.

Responsible Agency:	Planning and Building Services Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Recommendations by 12/31/16. Consider incentives as part of Zoning Ordinance Update in 2016

Program H-3.3.2: ***List of Child Daycare Services in Richmond***

Develop and maintain a comprehensive list of childcare services that are available in Richmond and make it readily available through the Online Housing Resource Center.

Responsible Agency:	Housing and Community Development Department, Business Licensing Division
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	List and link to resources on City website by 12/31/16

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Policy H-3.4: ***First-Time Homebuyer Opportunities***

Actively seek to expand housing opportunities for extremely low, very low, low and moderate-income first-time homebuyers.

Program H-3.4.1: ***Mortgage Credit Certificate Tax Credit Program***

Support and participate in the Mortgage Credit Certificate (MCC) Tax Credit Program administered by the Contra Costa County Department of Conservation and Development and make program information readily available through the Online Housing Resource Center. Also provide information about first-time homebuyer programs administered by local nonprofits such as Community Housing Development Corporation (CHDC).

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Not applicable

Policy H-3.5: ***Large-Family Housing***

Actively seek to expand housing opportunities for large families that are extremely low, very low, low, and moderate income.

Program H-3.5.1: ***Large-Family Housing Incentives***

Provide incentives for extremely low, very low, low, and moderate-income residential developments that include units with four or more bedrooms. Potential incentives include financial assistance, density bonuses, development impact fee waivers or deferrals, and expedited review.

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Develop incentives in coordination with Zoning Ordinance Update in 2016

Policy H-3.6: ***Emergency, Transitional, and Supportive Housing***

Actively seek to expand emergency, transitional, and supportive housing to address homelessness in Richmond.

Program H-3.6.1: ***Homelessness Coordination Efforts***

Participate in the Contra Costa HOME Consortium and the Contra Costa Interagency Council on Homelessness (CCICH) to identify and respond to the needs of homeless individuals and families in Richmond and surrounding communities. Prioritize implementation of the strategies and actions identified in the Consortium's Consolidated Plan and the CCICH 10-Year Homeless Plan. Actively support education and outreach services for homeless persons.

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Not applicable

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Program H-3.6.2: ***Funding for Emergency, Transitional, and Supportive Housing***

Support nonprofit organizations seeking funding sources for the establishment and operation of emergency, transitional, and supportive housing. Continue working with GRIP and the Bay Area Rescue Mission to provide shelter and services for the homeless. Proactively seek and help secure financing that is periodically available under federal programs such as the Emergency Housing and Assistance Program (EHAP) and the Emergency Shelter Grant Program (ESG).

Responsible Agency:	Housing and Community Development Department
Timeframe:	Ongoing
Funding Sources:	Emergency Housing and Assistance Program (EHAP), Emergency Shelter Grant Program (ESG)
Quantified Objective:	Engage organizations by 12/31/16

Goal H-4: Equal Housing Access for All

Strive to achieve equal housing access for all people regardless of race, religion, gender, marital status, age, ancestry, national origin, color, sexual orientation, familial status, source of income, or disability.

Policy H-4.1: ***Rent Subsidies for Affordable Housing***

Provide rent subsidies that assist extremely low and very low-income families, seniors, and persons with disabilities to afford decent, safe, and sanitary housing in the private market.

Program H-4.1.1: ***Housing Choice Voucher Program***

Continue to administer the City's Section 8 Housing Choice Voucher Program and maximize the program's utilization. Continue monitoring key program performance indicators such as attrition rates, fail-to-lease ratios, and waitlist size. Continue to work with local affordable housing developers to provide project-based vouchers. Respond to any future Notices of Funding Availability (NOFA) and apply for more vouchers. Provide program information as part of the Online Housing Resource Center.

Responsible Agency:	Richmond Housing Authority
Timeframe:	Ongoing
Funding Sources:	HUD, Annual Contributions Contracts
Quantified Objective:	a) 10,500 unit inspections by 12/31/16 b) 10,500 tenant eligibility re-examinations by 12/31/16 c) Timely NOFA responses

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Policy H-4.2: ***Tenant Protections***

Explore reasonable and enforceable regulations that protect tenants from evictions and exorbitant rent increases and refer residents with issues such as foreclosures, landlord-tenant disputes, and unlawful evictions, and housing discrimination to counseling services.

Program H-4.2.1: ***Enforcement of Just Cause for Eviction Ordinance***

Continue to enforce Richmond's Just Cause for Eviction Ordinance pertaining to rental units in foreclosed properties. The Ordinance was adopted in 2009 and provides protections for tenants in good standing from being evicted in the event of transfer of title or foreclosure. The City will provide information to residents and property owners and managers on the current ordinance as well as future changes.

Responsible Agency:	Housing and Community Development Department, City Manager's Office, City Attorney's Office
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Not applicable

Program H-4.2.2: ***Expansion of Just Cause for Eviction Ordinance***

Continue to analyze the effectiveness of the City's existing just cause for eviction ordinance applying to tenants in foreclosed properties. Study other just cause for eviction ordinances in California and evaluate whether to expand the City's ordinance so that it applies to all rental properties. The study should examine cities with both just cause for eviction protections and rent control ordinances and cities with just cause for eviction protections and no rent control ordinance. Draft and implement a new Just Cause for Eviction Ordinance Amendment that reflects the best practices and input from the Community.

Responsible Agency:	Housing and Community Development Department, City Manager's Office, City Attorney's Office
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Recommendations and draft Ordinance amendment by 5/31/2015

Program H-4.2.3: ***Rent Control Ordinance Study***

Study rent control ordinances in California, evaluate their effectiveness, and identify opportunities and tradeoffs to establishing rent control in Richmond. As part of the study, identify potential funding sources for rent control/review board, review administration and legal requirements, and identify the necessary steps for timely implementation. Consider whether to recommend an ordinance based on this study's findings and extensive input from the community and rental property owners.

Responsible Agency:	Housing and Community Development Department, City Manager's Office, City Attorney's Office
Timeframe:	On-going
Funding Sources:	General Fund
Quantified Objective:	Study and recommendations by ~~5~~10/31/~~2016~~2015

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Program H-4.2.4: ***Counseling Service Referrals for Foreclosures, Landlord-Tenant Disputes, Unlawful Evictions, and Housing Discrimination***

Continue to refer homeowners, tenants, and landlords to third-party organizations such as Bay Area Legal Aid, Community Housing and Development Corporation of North Richmond, and 211 Bay Area for assistance with issues such as foreclosures, landlord-tenant disputes, unlawful evictions, and housing discrimination. Provide referral information as part of the Online Housing Resource Center.

Responsible Agency:	Housing and Community Development Department, City Manager's Office, City Attorney's Office
Timeframe:	On-going
Funding Sources:	General Fund, CDBG
Quantified Objective:	Referrals upon request

Policy H-4.2: ***Discrimination Prevention***

Identify, monitor and prevent discriminatory housing practices.

Program H-1.4.2: ***Housing Access and Discrimination Study***

Study of housing access in the City to determine if any discrimination is occurring and ensure equal housing access for all groups. Develop a protocol to eliminate instances of discrimination where discovered, and coordinate with local organizations and representatives providing support to groups receiving unfair treatment in the pursuit of suitable housing. Use the study to develop ongoing monitoring practices to prevent future instances of housing discrimination.

Responsible Agency:	Housing and Community Development Department, City Manager's Office, City Attorney's Office
Timeframe:	Ongoing
Funding Sources:	General Fund
Quantified Objective:	Study by 12/31/16

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Appendices

Richmond General Plan 2030
Housing Element

Appendix A. Housing Age and Condition Map

Appendix B. Priority Development Area Map

Appendix C. Vacant Land Inventory and Vacant Land Maps

Appendix D. Richmond Livable Corridors Plan Form-Based Code

Appendix E. Flooding, Sea Level Rise and Tsunami Inundation Maps

Appendix F. Landslide and Earthquake Fault Maps

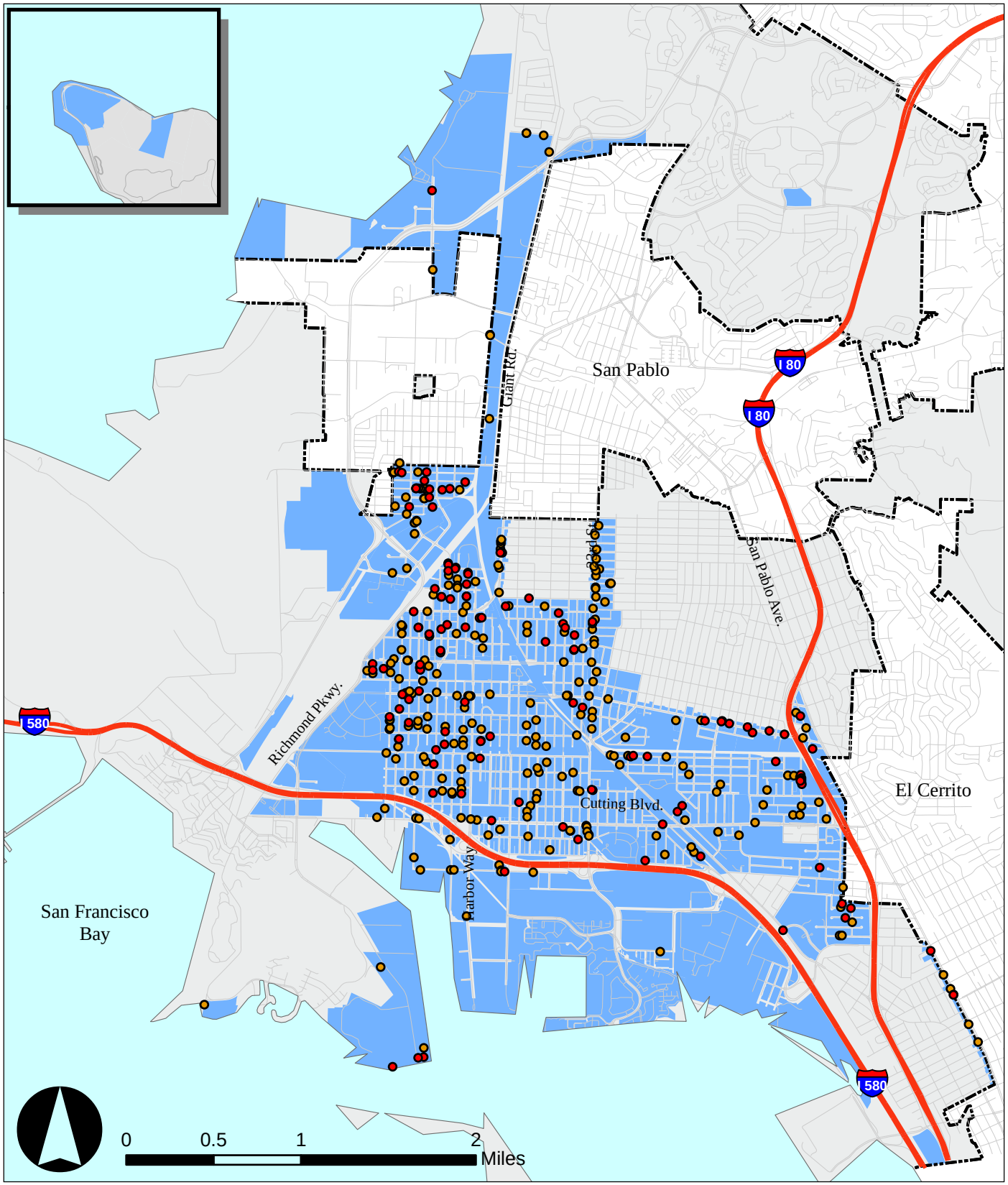
Appendix G. Input from Public Hearings

Appendix A:

Housing Age and Condition Map

#H-2.

Location of Buildings Exhibiting Unsafe and/or Unhealthy Conditions



- Buildings with Major Adverse Physical Conditions (114)
- Buildings with Multiple Adverse Physical Conditions (269)
- Merged Project Area
- City of Richmond

Seifel CONSULTING INC.

Appendix B:

Priority Development Area Map

Priority Development Areas (PDAs)

Unincorporated County
Hercules
Pinole
Unincorporated County
Unincorporated County
Richmond
San Pablo
El Cerrito
Unincorporated County
Unincorporated County

BAYBERRY AV
SYCAMORE AV
TENNENT AV
REFUGIO VALLEY RD
APPIAN WY
FITZGERALD DR
PINOLE VALLEY RD
MANOR RD
BLUME DR
HILLTOP DR
VALLEY VIEW RD
GIANT RD
RICHMOND PKWY
BROOKSIDE DR
RD 20
EL PORTAL DR
SAN PABLO DAM RD
13TH ST
23RD ST
PENNSYLVANIA AV
BARRETT AV
MACDONALD AV
22ND ST
GARRARD BLVD
SOLANO AV
BARRETT AV
CUTTING BLVD
MARINA BAY PKWY
CARLSON BLVD
POTRERO AV
SAN PABLO AV
ARLINGTON BLVD
MOESER LN
CENTRAL AV
FAIRMOUNT AV
COLUSA AV

80
580

Legend

Richmond PDAs
- North Richmond
- Central Richmond / 23rd St Corridor
- 23rd St Corridor
- South Richmond

Other PDAs
City and County Boundaries
Parks and Other Public Areas

N
0 0.15 0.3 0.6
Miles

Source: ABAG

Appendix C:

Vacant Land Inventory and Vacant Land Maps

APN	Number	Zoning	Land Use	SF	Acres	Density	MaxUnit	RealUnit	Use	Environmental	Infrastructure
513062023	167	C-1	NMU	15,072	0.35	34.8	12	10	Vacant		Yes
515350006	168	C-1	CMU	5,169	0.12	34.8	4	3	Vacant		Yes
534142006	169	C-1	NMU	8,241	0.19	34.8	7	5	Vacant		Yes
534171007	170	C-1	NMU	5,015	0.12	34.8	4	3	Vacant		Yes
534181024	171	C-1	NMU	11,080	0.25	34.8	9	7	Vacant		Yes
534330020	172	C-1	NMU	6,060	0.14	34.8	5	4	Vacant		Yes
538161011	173	C-1	RMU	12,050	0.28	34.8	10	8	Vacant		Yes
538181035	174	C-1	RMU	5,543	0.13	34.8	4	4	Vacant		Yes
538220001	175	C-1	RMU	5,630	0.13	34.8	5	4	Vacant		Yes
544262001	176	C-1	MIMU	10,350	0.24	34.8	8	7	Vacant		Yes
544262016	177	C-1	CMU	26,367	0.61	34.8	21	17	Vacant		Yes
544312005	178	C-1	CMU	5,361	0.12	34.8	4	3	Vacant		Yes
544312006	179	C-1	CMU	5,168	0.12	34.8	4	3	Vacant		Yes
544312007	180	C-1	CMU	5,260	0.12	34.8	4	3	Vacant		Yes
549110014	181	C-1	CMU	5,453	0.13	34.8	4	3	Vacant		Yes
550301024	182	C-1	MIMU	13,209	0.30	34.8	11	8	Vacant	Brownfield Site	Yes
APN	**Number**	**Zoning**	**Land Use**	**SF**	**Acres**	**Density**	**MaxUnit**	**RealUnit**	**Use**	**Environmental**	**Infrastructure**
414340002	183	C-2	CMU	170,145	3.91	34.8	136	109	Vacant	100 Yr Floodplain	Yes
507251011	184	C-2	CMU	128,500	2.95	34.8	103	82	Vacant		Yes
507251014	185	C-2	CMU	43,260	0.99	34.8	35	28	Vacant		Yes
507251016	186	C-2	CMU	39,000	0.90	34.8	31	25	Vacant		Yes
507261030	187	C-2	CMU	8,940	0.21	34.8	7	6	Vacant		Yes
507261031	188	C-2	CMU	8,077	0.19	34.8	6	5	Vacant		Yes
514032007	189	C-2	HIMU	11,123	0.26	34.8	9	7	Vacant		Yes
515020027	190	C-2	CMU	10,017	0.23	34.8	8	6	Vacant		Yes
515180020	191	C-2	CMU	3,485	0.08	34.8	3	2	Vacant		Yes
515180021	192	C-2	CMU	10,682	0.25	34.8	9	7	Vacant		Yes
515190010	193	C-2	HIMU	8,753	0.20	34.8	7	6	Vacant		Yes
515190011	194	C-2	HIMU	6,047	0.14	34.8	5	4	Vacant		Yes
515190012	195	C-2	HIMU	5,442	0.12	34.8	4	3	Vacant		Yes
515190014	196	C-2	HIMU	5,468	0.13	34.8	4	3	Vacant		Yes
515190015	197	C-2	HIMU	11,570	0.27	34.8	9	7	Vacant		Yes
515261010	198	C-2	HIMU	5,010	0.12	34.8	4	3	Vacant		Yes
516202020	199	C-2	MIMU	10,168	0.23	34.8	8	7	Vacant	Brownfield Site	Yes
517320017	200	C-2	CMU	5,031	0.12	34.8	4	3	Vacant		Yes
517330008	201	C-2	CMU	5,077	0.12	34.8	4	3	Vacant		Yes
524010003	202	C-2	CMU	5,025	0.12	34.8	4	3	Vacant		Yes
528080003	203	C-2	CMU	9,212	0.21	34.8	7	6	Vacant		Yes
528250002	204	C-2	CMU	5,838	0.13	34.8	5	4	Vacant		Yes
528250023	205	C-2	CMU	6,133	0.14	34.8	5	4	Vacant		Yes
528360027	206	C-2	CMU	9,189	0.21	34.8	7	6	Vacant		Yes
529170032	207	C-2	CMU	9,715	0.22	34.8	8	6	Vacant	Brownfield Site	Yes
540290020	208	C-2	CMU	8,487	0.19	34.8	7	5	Vacant		Yes
561110006	209	C-2	CMU	172,500	3.96	34.8	138	110	Vacant	100 Yr Floodplain	Yes
561110039	210	C-2	CMU	160,500	3.69	34.8	128	103	Vacant	100 Yr Floodplain	Yes
517280006	213	C-3	CMU	138,013	3.17	34.8	110	88	Vacant		Yes
APN	**Number**	**Zoning**	**Land Use**	**SF**	**Acres**	**Density**	**MaxUnit**	**RealUnit**	**Use**	**Environmental**	**Infrastructure**
514032018	214	CB	HIMU	11,309	0.26	34.8	9	7	Vacant		Yes
514032019	215	CB	HIMU	5,529	0.13	34.8	4	4	Vacant		Yes
514060017	216	CB	HIMU	5,690	0.13	34.8	5	4	Vacant		Yes
538132005	217	CB	HIMU	6,073	0.14	34.8	5	4	Vacant		Yes
538132014	218	CB	HIMU	5,353	0.12	34.8	4	3	Vacant		Yes
538220004	219	CB	HIMU	7,094	0.16	34.8	6	5	Vacant		Yes
538220008	220	CB	HIMU	14,311	0.33	34.8	11	9	Vacant		Yes
538220011	221	CB	HIMU	5,610	0.13	34.8	4	4	Vacant		Yes
538250001	222	CB	HIMU	5,573	0.13	34.8	4	4	Vacant		Yes
538250012	223	CB	HIMU	8,298	0.19	34.8	7	5	Vacant		Yes
538260001	224	CB	HIMU	5,481	0.13	34.8	4	4	Vacant		Yes
540071016	225	CB	HIMU	5,371	0.12	34.8	4	3	Vacant		Yes
540071017	226	CB	HIMU	11,035	0.25	34.8	9	7	Vacant		Yes
540150002	227	CB	HIMU	5,726	0.13	34.8	5	4	Vacant		Yes
540150006	228	CB	HIMU	5,732	0.13	34.8	5	4	Vacant		Yes
540250004	229	CB	HIMU	5,687	0.13	34.8	5	4	Vacant		Yes
APN	**Number**	**Zoning**	**Land Use**	**SF**	**Acres**	**Density**	**MaxUnit**	**RealUnit**	**Use**	**Environmental**	**Infrastructure**
560420007	231	CC	MR	55,529	1.27	34.8	44	36	Vacant	100 Yr Floodplain	Yes
560420009	232	CC	MWC	35,219	0.81	34.8	28	23	Vacant		Yes

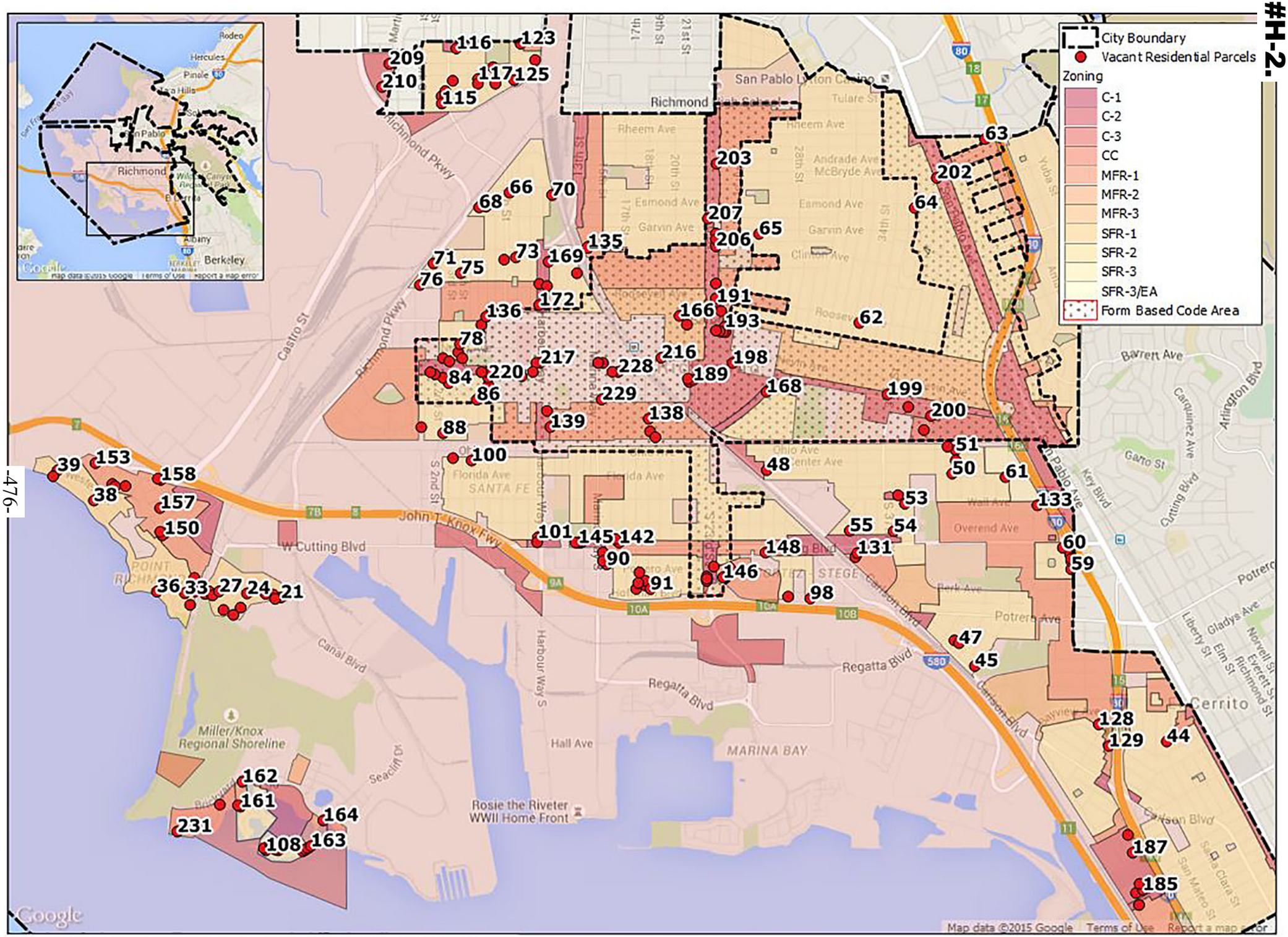
APN	Number	Zoning	Land Use	SF	Acres	Density	MaxUnit	RealUnit	Use	Environmental	Infrastructure
APN	Number	Zoning	Land Use	SF	Acres	Density	MaxUnit	RealUnit	Use	Environmental	Infrastructure
508020014	128	MFR-1	MR	11,640	0.27	26.4	7	6	Vacant		Yes
508122015	129	MFR-1	MR	5,317	0.12	26.4	3	3	Vacant		Yes
510092001	130	MFR-1	MR	6,641	0.15	26.4	4	3	Vacant		Yes
513174021	131	MFR-1	CMU	19,109	0.44	26.4	12	9	Vacant		Yes
513174023	132	MFR-1	RMU	7,483	0.17	26.4	5	4	Vacant		Yes
513317001	133	MFR-1	MR	5,781	0.13	26.4	4	3	Vacant		Yes
515180010	134	MFR-1	MR	5,406	0.12	26.4	3	3	Vacant		Yes
529241005	135	MFR-1	MR	5,084	0.12	26.4	3	2	Vacant		Yes
534302001	136	MFR-1	MR	6,387	0.15	26.4	4	3	Vacant		Yes
540210022	138	MFR-1	MR	5,761	0.13	26.4	3	3	Vacant		Yes
540300003	139	MFR-1	MR	5,795	0.13	26.4	4	3	Vacant		Yes
540380009	140	MFR-1	MR	8,238	0.19	26.4	5	4	Vacant		Yes
540380019	141	MFR-1	MR	8,562	0.20	26.4	5	4	Vacant		Yes
544221013	142	MFR-1	RMU	15,393	0.35	26.4	9	7	Vacant		Yes
544240009	143	MFR-1	CMU	6,177	0.14	26.4	4	3	Vacant		Yes
544240014	144	MFR-1	CMU	5,807	0.13	26.4	4	3	Vacant		Yes
544240015	145	MFR-1	CMU	5,951	0.14	26.4	4	3	Vacant		Yes
549131010	146	MFR-1	MR	20,590	0.47	26.4	12	10	Vacant		Yes
549132001	147	MFR-1	MR	7,098	0.16	26.4	4	3	Vacant		Yes
549150004	148	MFR-1	RMU	5,488	0.13	26.4	3	3	Vacant		Yes
558071001	149	MFR-1	LR	10,900	0.25	26.4	7	5	Vacant		Yes
558161011	150	MFR-1	LR	5,236	0.12	26.4	3	3	Vacant		Yes
558161012	151	MFR-1	LR	5,175	0.12	26.4	3	3	Vacant		Yes
558161013	152	MFR-1	LR	5,420	0.12	26.4	3	3	Vacant		Yes
558241007	153	MFR-1	LR	6,119	0.14	26.4	4	3	Vacant		Yes
558251013	154	MFR-1	LR	10,070	0.23	26.4	6	5	Vacant		Yes
558251014	155	MFR-1	LR	10,620	0.24	26.4	6	5	Vacant		Yes
558263004	156	MFR-1	LR	15,500	0.36	26.4	9	8	Vacant		Yes
558292035	157	MFR-1	LR	14,058	0.32	26.4	8	7	Vacant		Yes
558330039	158	MFR-1	LR	5,015	0.12	26.4	3	2	Vacant		Yes
558330040	159	MFR-1	LR	5,000	0.11	26.4	3	2	Vacant		Yes
560410002	160	MFR-1	MR	9,449	0.22	26.4	6	5	Vacant		Yes
560410003	161	MFR-1	MR	6,326	0.15	26.4	4	3	Vacant	100 Yr Floodplain	Yes
560410076	162	MFR-1	MR	10,990	0.25	26.4	7	5	Vacant		Yes
560440038	163	MFR-1	MR	12,026	0.28	26.4	7	6	Vacant		Yes
560440040	164	MFR-1	MR	14,043	0.32	26.4	9	7	Vacant		Yes
APN	Number	Zoning	Land Use	SF	Acres	Density	MaxUnit	RealUnit	Use	Environmental	Infrastructure
514110001	165	MFR-3	HIMU	5,691	0.13	54.5	7	6	Vacant		Yes
514200027	166	MFR-3	HIMU	5,072	0.12	54.5	6	5	Vacant		Yes
APN	Number	Zoning	Land Use	SF	Acres	Density	MaxUnit	RealUnit	Use	Environmental	Infrastructure
435300009	1	SFR-1	HR	288,165	6.62	4.0	26	21	Vacant		Yes
573020010	2	SFR-1	HR	798,687	18.34	4.0	73	58	Vacant		Yes
APN	Number	Zoning	Land Use	SF	Acres	Density	MaxUnit	RealUnit	Use	Environmental	Infrastructure
435180005	3	SFR-2	HR	1,165,139	26.75	7.3	194	155	Vacant		Yes
435200008	4	SFR-2	HR	2,928,278	67.22	7.3	488	390	Vacant	ear Floodplain, Brownfiel	Yes
435210001	5	SFR-2	HR	85,973	1.97	7.3	14	11	Vacant		Yes
435210005	6	SFR-2	HR	58,970	1.35	7.3	10	8	Vacant		Yes
435210006	7	SFR-2	HR	266,779	6.12	7.3	44	36	Vacant		Yes
435222001	8	SFR-2	HR	194,300	4.46	7.3	32	26	Vacant		Yes
435230008	9	SFR-2	HR	11,008	0.25	7.3	2	1	Vacant		Yes
435230014	10	SFR-2	HR	7,683	0.18	7.3	1	1	Vacant		Yes
435230015	11	SFR-2	HR	10,584	0.24	7.3	2	1	Vacant		Yes
435230021	12	SFR-2	HR	11,650	0.27	7.3	2	2	Vacant		Yes
435230027	13	SFR-2	HR	9,581	0.22	7.3	2	1	Vacant		Yes
435230028	14	SFR-2	HR	82,265	1.89	7.3	14	11	Vacant		Yes
435230030	15	SFR-2	HR	7,122	0.16	7.3	1	1	Vacant		Yes
435230040	16	SFR-2	HR	12,118	0.28	7.3	2	2	Vacant		Yes
435230046	17	SFR-2	HR	261,715	6.01	7.3	44	35	Vacant		Yes
435240001	18	SFR-2	HR	1,041,344	23.91	7.3	174	139	Vacant		Yes
435310049	19	SFR-2	HR	29,749	0.68	7.3	5	4	Vacant		Yes
556101007	20	SFR-2	HR	10,700	0.25	7.3	2	1	Vacant		Yes
556121025	21	SFR-2	HR	10,030	0.23	7.3	2	1	Vacant		Yes
556122001	22	SFR-2	HR	9,286	0.21	7.3	2	1	Vacant		Yes
556122013	23	SFR-2	HR	7,813	0.18	7.3	1	1	Vacant		Yes
556131018	24	SFR-2	HR	11,480	0.26	7.3	2	2	Vacant		Yes
556133010	25	SFR-2	HR	15,960	0.37	7.3	3	2	Vacant		Yes

APN	Number	Zoning	Land Use	SF	Acres	Density	MaxUnit	RealUnit	Use	Environmental	Infrastructure
556134032	26	SFR-2	HR	10,670	0.24	7.3	2	1	Vacant		Yes
556151006	27	SFR-2	HR	9,791	0.22	7.3	2	1	Vacant		Yes
556170016	28	SFR-2	HR	8,522	0.20	7.3	1	1	Vacant		Yes
556170026	29	SFR-2	HR	21,630	0.50	7.3	4	3	Vacant		Yes
556170029	30	SFR-2	HR	17,880	0.41	7.3	3	2	Vacant		Yes
556170032	31	SFR-2	HR	6,387	0.15	7.3	1	1	Vacant		Yes
556170033	32	SFR-2	HR	9,070	0.21	7.3	2	1	Vacant		Yes
558012014	33	SFR-2	HR	10,060	0.23	7.3	2	1	Vacant	100 Yr Floodplain	Yes
558013001	35	SFR-2	HR	13,410	0.31	7.3	2	2	Vacant		Yes
558020014	36	SFR-2	HR	7,681	0.18	7.3	1	1	Vacant		Yes
558072014	37	SFR-2	HR	8,911	0.20	7.3	1	1	Vacant		Yes
558212010	38	SFR-2	HR	6,089	0.14	7.3	1	1	Vacant		Yes
558232007	39	SFR-2	HR	27,290	0.63	7.3	5	4	Vacant		Yes
558233003	40	SFR-2	HR	6,271	0.14	7.3	1	1	Vacant		Yes
APN	**Number**	**Zoning**	**Land Use**	**SF**	**Acres**	**Density**	**MaxUnit**	**RealUnit**	**Use**	**Environmental**	**Infrastructure**
405280002	41	SFR-3	LR	89,198	2.05	11.6	24	19	Vacant		Yes
408054027	42	SFR-3	LR	5,474	0.13	11.6	1	1	Vacant		Yes
435171003	43	SFR-3	LR	21,170	0.49	11.6	6	5	Vacant		Yes
508371001	44	SFR-3	LR	9,153	0.21	11.6	2	2	Vacant		Yes
509350009	45	SFR-3	LR	7,379	0.17	11.6	2	2	Vacant		Yes
509360011	46	SFR-3	LR	5,111	0.12	11.6	1	1	Vacant		Yes
509360032	47	SFR-3	LR	5,858	0.13	11.6	2	1	Vacant		Yes
513025001	48	SFR-3	LR	6,939	0.16	11.6	2	1	Vacant		Yes
513081015	49	SFR-3	LR	5,102	0.12	11.6	1	1	Vacant		Yes
513082013	50	SFR-3	LR	9,801	0.23	11.6	3	2	Vacant		Yes
513091015	51	SFR-3	LR	6,753	0.16	11.6	2	1	Vacant		Yes
513092029	52	SFR-3	LR	9,340	0.21	11.6	2	2	Vacant		Yes
513141032	53	SFR-3	LR	6,138	0.14	11.6	2	1	Vacant		Yes
513151006	54	SFR-3	LR	15,920	0.37	11.6	4	3	Vacant		Yes
513162013	55	SFR-3	LR	9,286	0.21	11.6	2	2	Vacant		Yes
513234002	56	SFR-3	LR	6,485	0.15	11.6	2	1	Vacant		Yes
513234003	57	SFR-3	LR	5,358	0.12	11.6	1	1	Vacant		Yes
513234004	58	SFR-3	LR	9,150	0.21	11.6	2	2	Vacant		Yes
513235008	59	SFR-3	LR	6,623	0.15	11.6	2	1	Vacant		Yes
513238013	60	SFR-3	RMU	7,292	0.17	11.6	2	2	Vacant		Yes
513322024	61	SFR-3	LR	5,037	0.12	11.6	1	1	Vacant		Yes
516050021	62	SFR-3	LR	5,057	0.12	11.6	1	1	Vacant		Yes
523014016	63	SFR-3	LR	27,240	0.63	11.6	7	6	Vacant		Yes
524180002	64	SFR-3	LR	5,090	0.12	11.6	1	1	Vacant		Yes
528260010	65	SFR-3	LR	5,015	0.12	11.6	1	1	Vacant		Yes
534023002	66	SFR-3	LR	8,061	0.19	11.6	2	2	Vacant		Yes
534024001	68	SFR-3	LR	33,890	0.78	11.6	9	7	Vacant		Yes
534024021	69	SFR-3	LR	6,020	0.14	11.6	2	1	Vacant		Yes
534033006	70	SFR-3	LR	12,710	0.29	11.6	3	3	Vacant		Yes
534101007	71	SFR-3	LR	8,677	0.20	11.6	2	2	Vacant		Yes
534122012	72	SFR-3	LR	5,016	0.12	11.6	1	1	Vacant		Yes
534131009	73	SFR-3	LR	5,680	0.13	11.6	2	1	Vacant		Yes
534161024	74	SFR-3	LR	6,961	0.16	11.6	2	1	Vacant		Yes
534212005	75	SFR-3	LR	5,020	0.12	11.6	1	1	Vacant		Yes
534230021	76	SFR-3	LR	7,612	0.17	11.6	2	2	Vacant		Yes
534230026	77	SFR-3	LR	5,074	0.12	11.6	1	1	Vacant		Yes
538060018	78	SFR-3	LR	5,486	0.13	11.6	1	1	Vacant		Yes
538080001	79	SFR-3	LR	5,430	0.12	11.6	1	1	Vacant		Yes
538161018	80	SFR-3	RMU	6,036	0.14	11.6	2	1	Vacant		Yes
538162002	81	SFR-3	LR	8,062	0.19	11.6	2	2	Vacant		Yes
538162007	82	SFR-3	RMU	5,848	0.13	11.6	2	1	Vacant		Yes
538181037	83	SFR-3	RMU	26,382	0.61	11.6	7	6	Vacant		Yes
538190011	84	SFR-3	LR	5,960	0.14	11.6	2	1	Vacant		Yes
538190027	85	SFR-3	LR	9,156	0.21	11.6	2	2	Vacant		Yes
538310005	86	SFR-3	LR	5,786	0.13	11.6	2	1	Vacant		Yes
538350043	87	SFR-3	LR	13,345	0.31	11.6	4	3	Vacant		Yes
538360009	88	SFR-3	LR	6,080	0.14	11.6	2	1	Vacant		Yes
544221024	89	SFR-3	LR	5,044	0.12	11.6	1	1	Vacant		Yes
544262008	90	SFR-3	LR	5,347	0.12	11.6	1	1	Vacant		Yes
544332010	91	SFR-3	LR	5,026	0.12	11.6	1	1	Vacant		Yes
544332015	92	SFR-3	LR	5,088	0.12	11.6	1	1	Vacant		Yes
544332028	93	SFR-3	LR	10,190	0.23	11.6	3	2	Vacant		Yes
544332030	94	SFR-3	LR	7,598	0.17	11.6	2	2	Vacant		Yes
544332034	95	SFR-3	LR	7,212	0.17	11.6	2	2	Vacant		Yes
544332036	96	SFR-3	LR	7,302	0.17	11.6	2	2	Vacant		Yes

APN	Number	Zoning	Land Use	SF	Acres	Density	MaxUnit	RealUnit	Use	Environmental	Infrastructure
549201005	97	SFR-3	LR	8,365	0.19	11.6	2	2	Vacant		Yes
549203030	98	SFR-3	LR	12,680	0.29	11.6	3	3	Vacant		Yes
550141005	99	SFR-3	LR	5,662	0.13	11.6	2	1	Vacant		Yes
550142018	100	SFR-3	LR	5,510	0.13	11.6	1	1	Vacant		Yes
550301023	101	SFR-3	RMU	10,680	0.25	11.6	3	2	Vacant		Yes
560440011	102	SFR-3	LR	5,411	0.12	11.6	1	1	Vacant		Yes
560440012	103	SFR-3	LR	5,702	0.13	11.6	2	1	Vacant		Yes
560440013	104	SFR-3	LR	5,380	0.12	11.6	1	1	Vacant		Yes
560440014	105	SFR-3	LR	5,642	0.13	11.6	2	1	Vacant		Yes
560440015	106	SFR-3	LR	5,606	0.13	11.6	1	1	Vacant		Yes
560440020	107	SFR-3	LR	5,766	0.13	11.6	2	1	Vacant	100 Yr Floodplain	Yes
560440021	108	SFR-3	LR	5,256	0.12	11.6	1	1	Vacant		Yes
560440035	109	SFR-3	LR	5,414	0.12	11.6	1	1	Vacant		Yes
560440036	110	SFR-3	LR	5,468	0.13	11.6	1	1	Vacant		Yes
560440037	111	SFR-3	LR	5,649	0.13	11.6	2	1	Vacant		Yes
561151007	112	SFR-3	MR	7,480	0.17	11.6	2	2	Vacant	Brownfield Site	Yes
561151009	113	SFR-3	MR	10,050	0.23	11.6	3	2	Vacant		Yes
561151011	114	SFR-3	MR	6,329	0.15	11.6	2	1	Vacant		Yes
561152007	115	SFR-3	MR	5,007	0.11	11.6	1	1	Vacant		Yes
561181031	116	SFR-3	MR	5,045	0.12	11.6	1	1	Vacant		Yes
561192013	117	SFR-3	MR	7,470	0.17	11.6	2	2	Vacant		Yes
561192018	118	SFR-3	MR	7,571	0.17	11.6	2	2	Vacant		Yes
561192030	120	SFR-3	MR	7,544	0.17	11.6	2	2	Vacant		Yes
561231001	121	SFR-3	MR	5,033	0.12	11.6	1	1	Vacant		Yes
561232015	122	SFR-3	MR	5,049	0.12	11.6	1	1	Vacant		Yes
561251013	123	SFR-3	MR	7,484	0.17	11.6	2	2	Vacant		Yes
561252029	124	SFR-3	MR	8,776	0.20	11.6	2	2	Vacant		Yes
561262003	125	SFR-3	MR	5,008	0.11	11.6	1	1	Vacant		Yes

SITES REMOVED FROM 2007-2014 HOUSING ELEMENT VACANT LAND INVENTORY

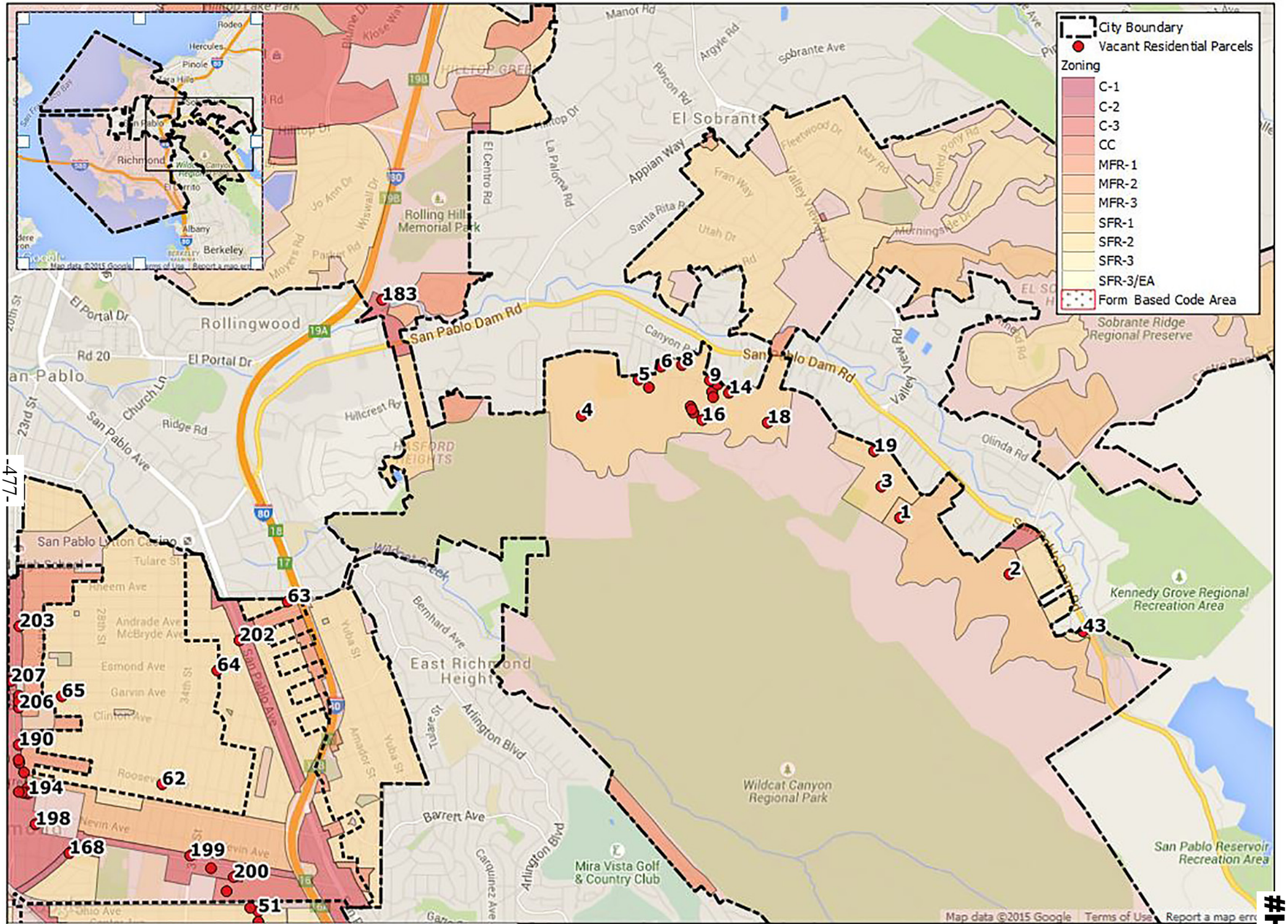
APN	Number	Zoning	Land Use	SF	Acres	Density	MaxUnit	RealUnit	Use	Environmental	Infrastructure
573020009	211	C-2	AG	229,600	0.00	34.8	0	0	Vacant		Yes
510053032	212	C-3	RCMU	75,035	0.00	34.8	0	0	Vacant	Yr Floodplain, Brownfield	Yes
510053033	213	C-3	RCMU	32,316	0.00	34.8	0	0	Vacant	100 Yr Floodplain	Yes
560340042	NA	CC	MR	83,947	0.00	34.8	0	0	Vacant		Yes
501220012	127	MFR-1	MR	8,460	0.00	26.4	0	0	Vacant		Yes
540210015	137	MFR-1	MR	5,545	0.00	26.4	0	0	Vacant		Yes
558012015	34	SFR-2	HR	8,733	0.00	7.3	0	0	Vacant		Yes
534023019	67	SFR-3	LR	5,548	0.00	11.6	0	0	Vacant		Yes
561192029	119	SFR-3	MR	7,481	0.00	11.6	0	0	Vacant	Brownfield Site	Yes
513321001	126	SFR-3/EA	MR	168,017	0.00	0.0	0	0	Vacant	Brownfield Site	Yes



City of Richmond Housing Element Update 2015-23
Appendix C: Vacant Land Inventory Map 1 of 3

1000 0 1000 2000 ft

Prepared by Lisa Wise Consulting, Inc.



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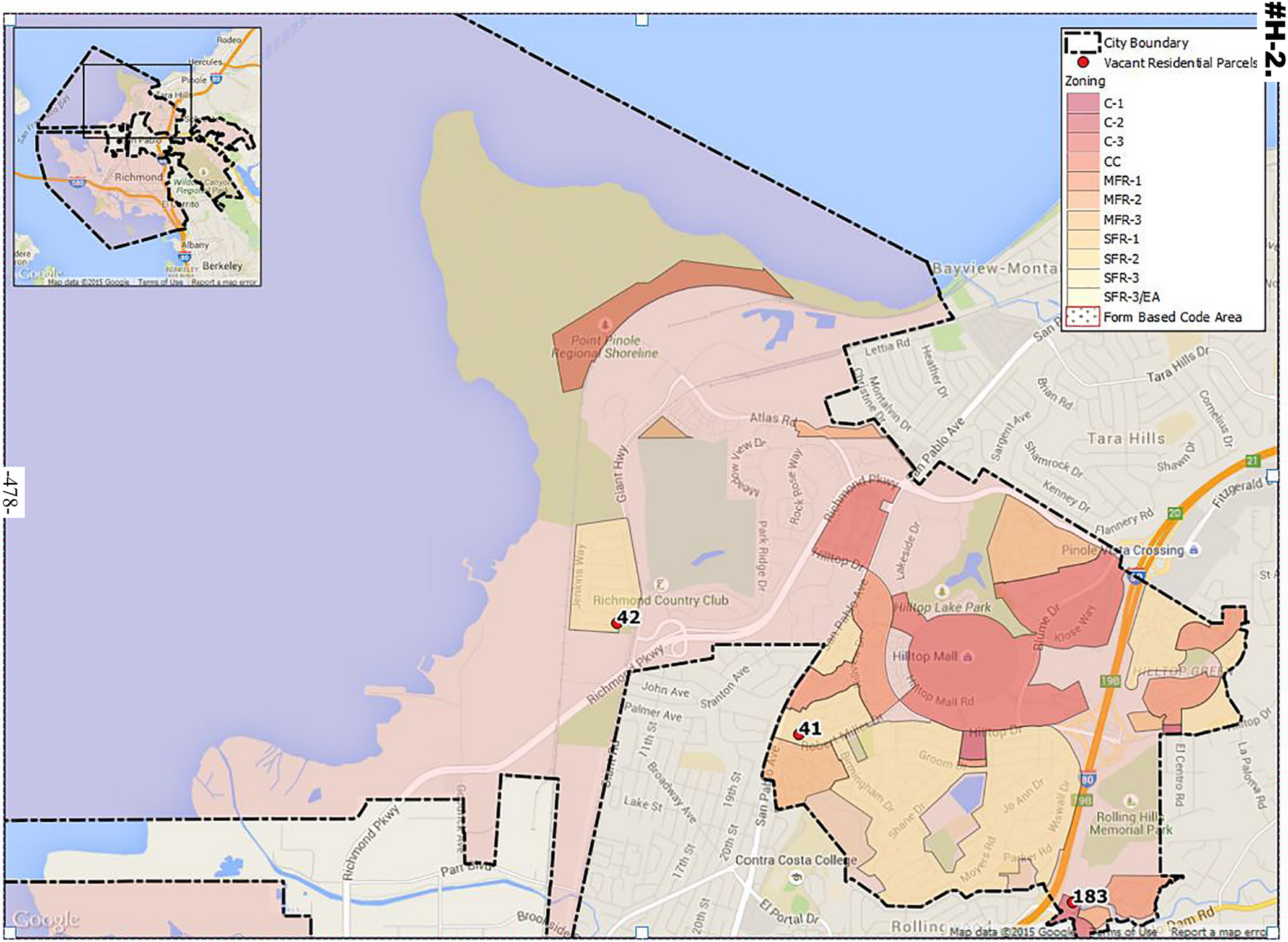
City of Richmond Housing Element Update 2015-23
Appendix C: Vacant Land Inventory Map 2 of 3

Prepared by Lisa Wise Consulting, Inc



City of Richmond Housing Element Update 2015-23
Appendix C: Vacant Land Inventory Map 3 of 3

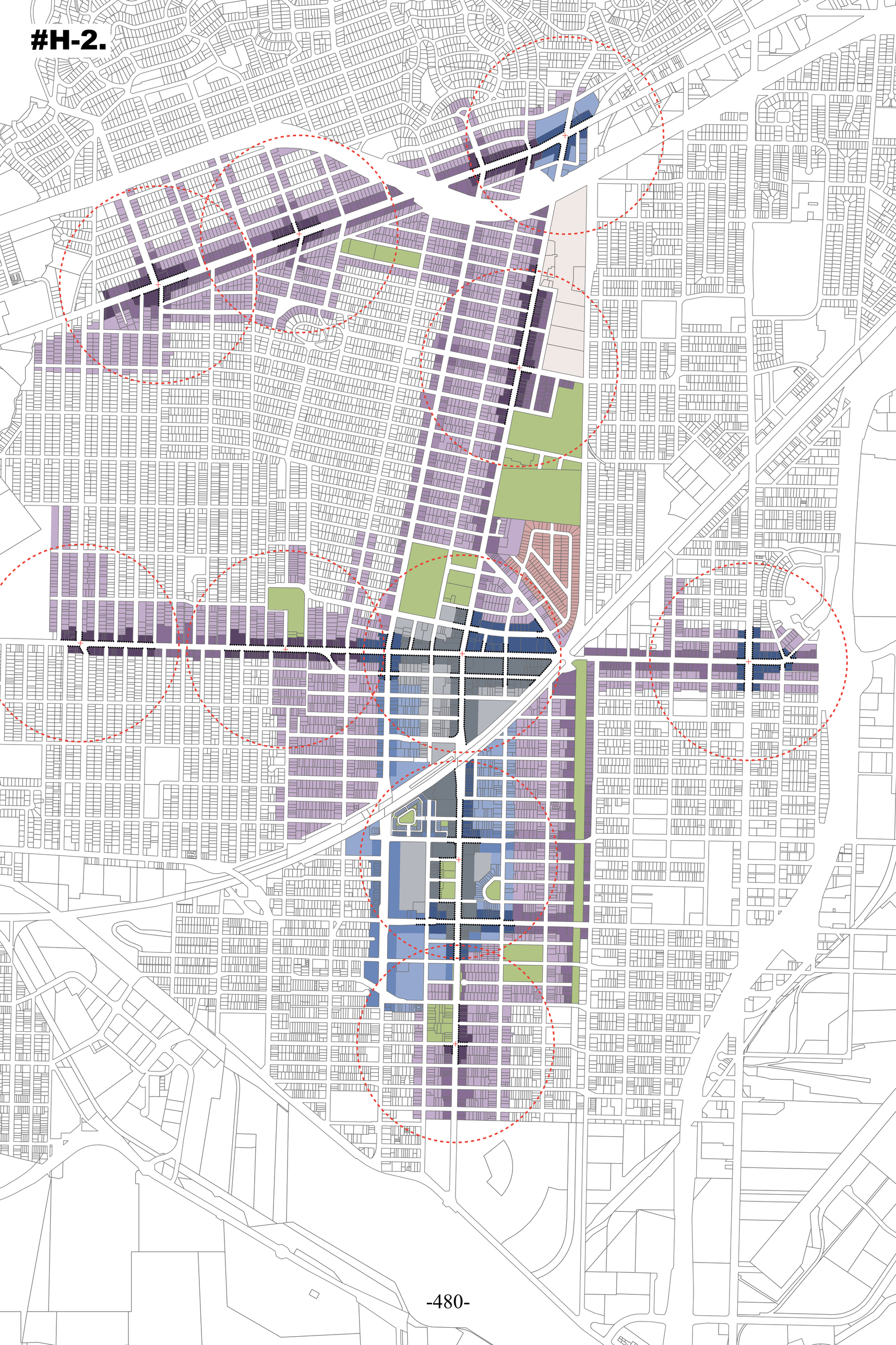
1000 0 1000 2000 ft

Prepared by Lisa Wise Consulting, Inc.

Appendix D:

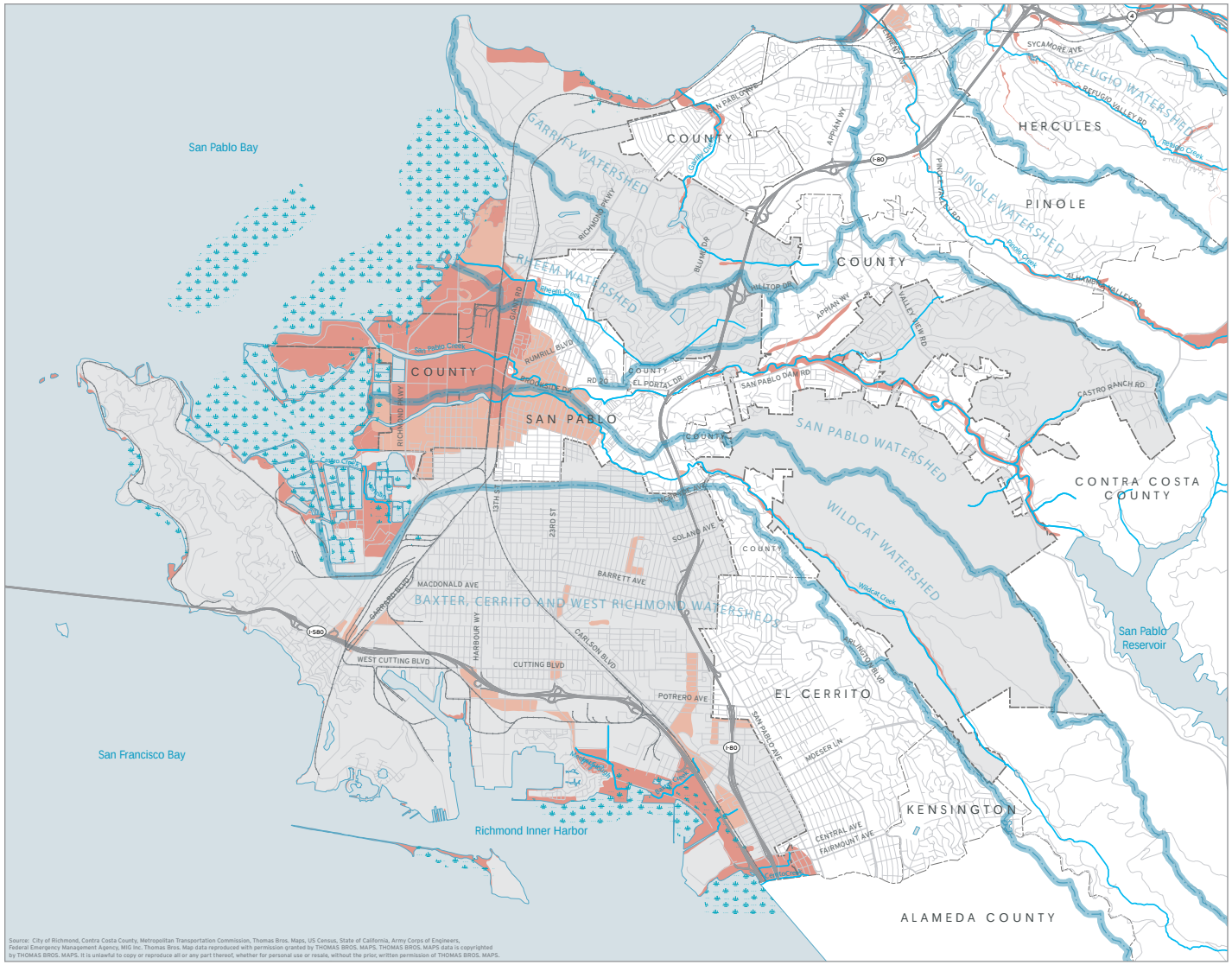
Richmond Livable Corridors Plan Form-Based Code

#H-2.



Appendix E:

Flooding, Sea Level Rise and Tsunami Inundation Maps



Map 7.1

Floodplains and Watersheds

- Creeks
- Watershed Boundaries
- 100-Year Floodplain*
- 500-Year Floodplain*
- Wetlands
- Waterbodies

* Floodplain data based on 1996 Q3 data provided by the Federal Emergency Management Agency.

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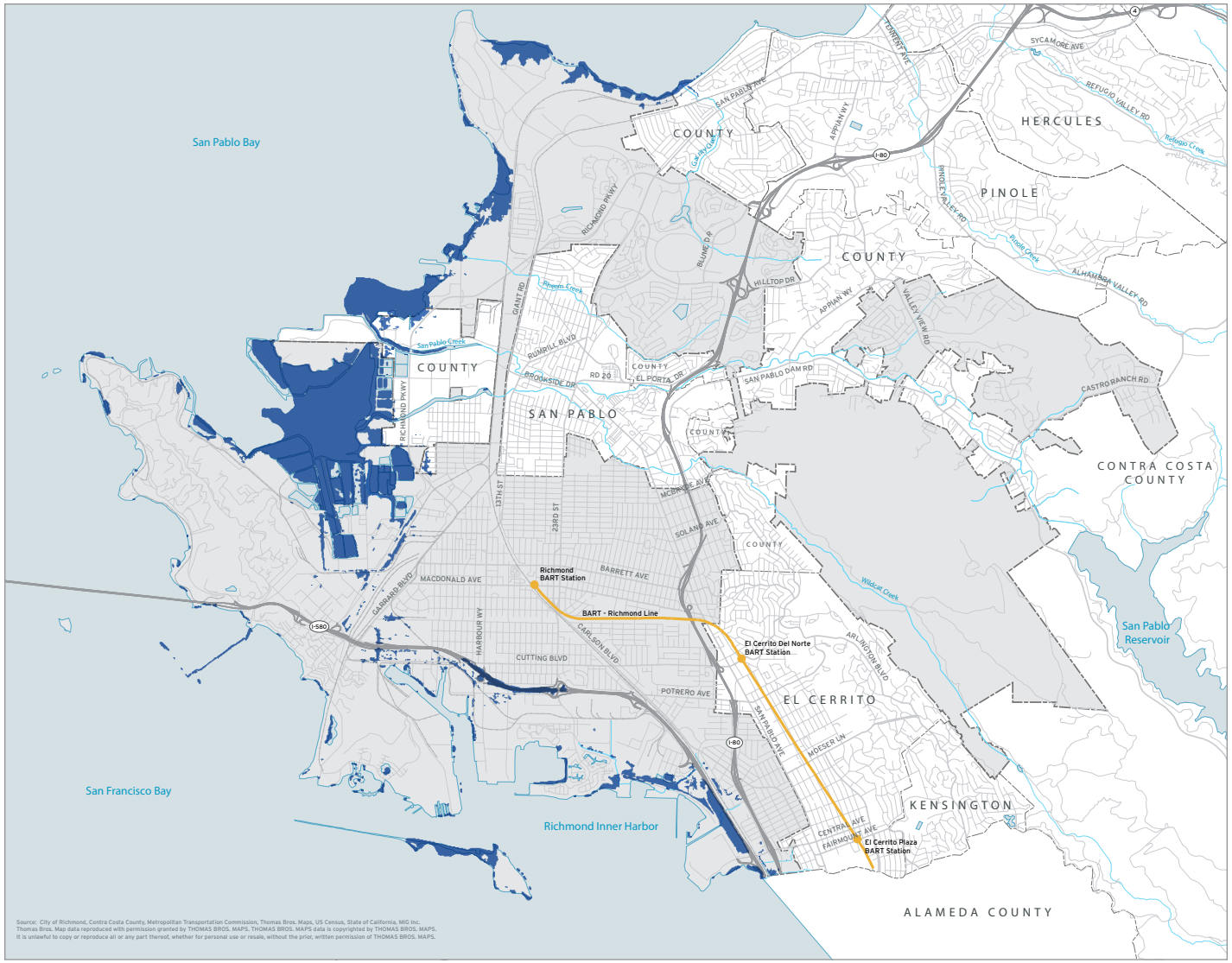
Note: Larger format maps are available for view or purchase at the Planning and Building Services Department.



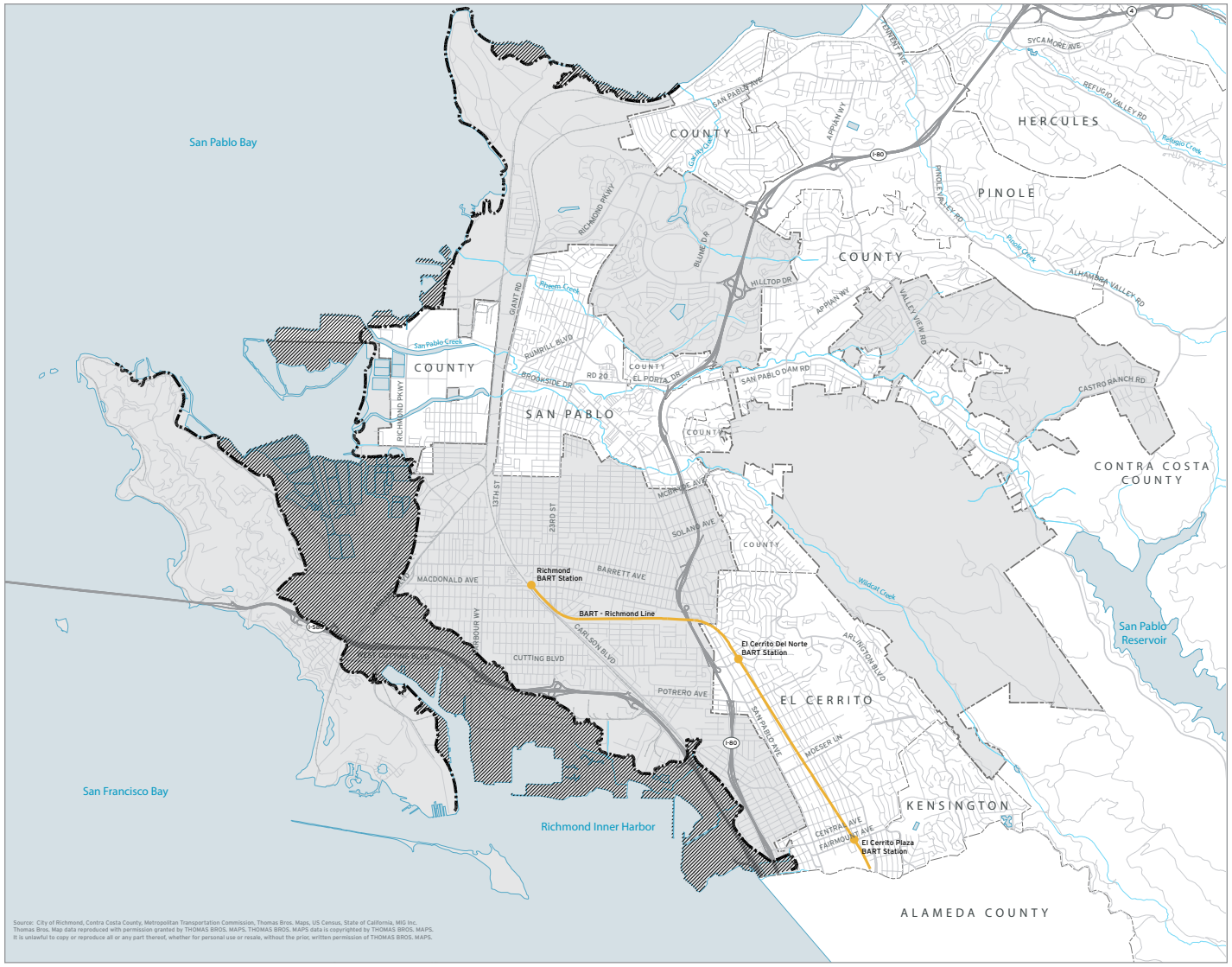
Map 8.1

Potential Sea Level Rise

Areas Affected by Potential One Meter Sea Level Rise in 2100

Note: This map is based on Scenarios for Sea Level Rise developed by the San Francisco Bay Conservation and Deelopment Commission (BCDC) using USGS 2m DSM. BCDC notes that the data is illustrative and depicts a potential inundation scenario in 2100 of one meter; limitations in the geospatial data may effect accuracy; and the data should not be used for planning purposes.

Note: Larger format maps are available for view or purchase at the Planning and Building Services Department.



Source: City of Richmond, Contra Costa County, Metropolitan Transportation Commission, Thomas Bros. Maps, US Census, State of California, MIG Inc.
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Map 12.5

Tsunami Inundation Area

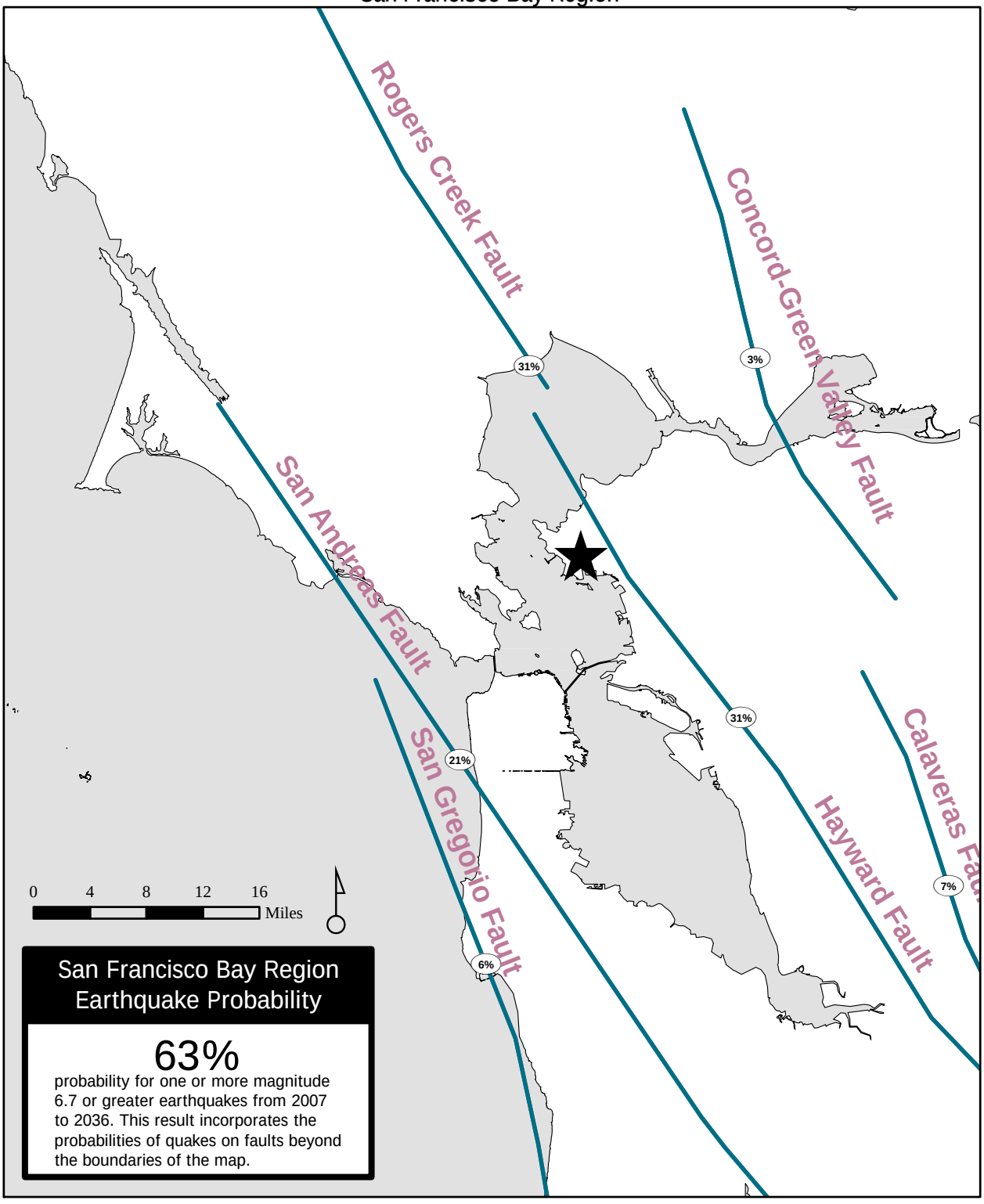
Estimated tsunami highest run-up line. Inundation indicated by this line may be exceeded.

Inundation Area

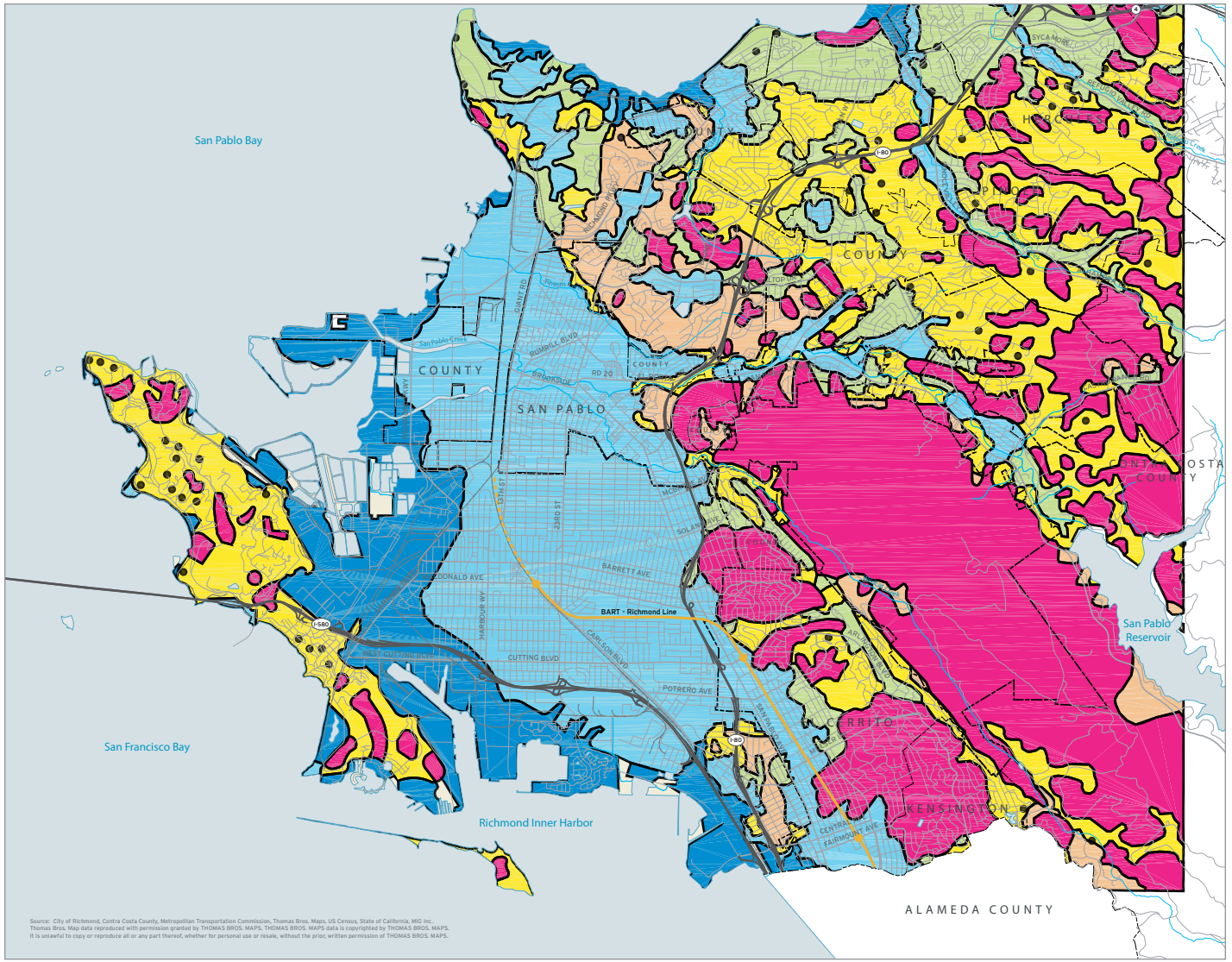
Appendix F:

Landslide and Earthquake Fault Maps

Earthquake Faults and Probabilities
San Francisco Bay Region



Richmond General Plan 2030 | Housing Element
January 2013



Map 12.1

Landslide Potential

Category 1 - Stable
Areas of 0 - 5 percent slope that are not underlain by landslide deposits.

Category 1A - Unstable
Areas of 0 - 5 percent slope that include tidelands, marshlands, and swamplands that are underlain by moist, unconsolidated muds.

Category 2 - Generally Stable
Areas of 5 to 15 percent slope that are not underlain by landslide deposits.

Category 3 - Generally Stable to Marginally Stable
Areas of greate than 15 percent slope that are not underlain by landslide deposits or bedrock units susceptible to landsliding.

Category 4 - Moderately Stable
Areas of greater than 15 percent slope that are underlain by bedrock units susceptible to landsliding but not underlain by landslide deposits.

Cateogry 5 - Unstable
Areas of any slope that are underlain by or immediately adjacent to landslide deposits.

Small Landslide Deposit
Generally 200 - 500 feet in longest dimension; shown only where a single deposit is located more than 1,000 feet from the nearest adjacent landslide deposits.

Notes:
This map should be regarded as a general guide to regional slope stability. It is not intended to be a substitute for detailed site investigations, which should precede any final planning decision.

This information is based upon U.S. Department of the Interior Geological Survey Professional Paper 944 Plate 2.

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0 0.5 1 2 MILES

Note: Larger format maps are available for view or purchase at the Planning and Building Services Department.

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Appendix G:

Input from Public Hearings

[to be completed]

April 30, 2015

Mr. Bill Lindsay
Richmond City Manager
450 Civic Center Plaza
Richmond, CA 94804

Re: Richmond Housing Element 2014-2022 & Potential Just Cause Ordinance

Dear Bill Lindsay:

CAA Contra Costa Napa Solano Division would like to thank the city for inviting us to participate in the April 2, 9 and 14, 2015 Housing Element and Potential Just Cause Ordinance Stakeholder meetings. We appreciated the opportunity to share in the discussion.

Understanding the limited timeframe for Housing Element comments we would like to respectfully submit the following under the Housing Element:

Policy H-4.2: Tenant Protections

Program H-4.2.2: (Expansion of Just Cause for Eviction Ordinance)
The current ordinance only applies to foreclosed properties and has not been utilized since its inception. There is no prejudicial proof that this type of ordinance actually provides tenant protections. This type of law does nothing to protect the owners and other tenants from tenants who abuse the system. What it does is add another layer of unnecessary bureaucracy for law enforcement and the rental housing owner/manager. (Further discussion to follow under Just Cause Ordinance comments.)

Program H-4.2.3: (Rent Stabilization Ordinance Study) There is no conclusive evidence that a rent "crisis" exists in the City of Richmond.

- Rent control will not stop the manifestation of gentrification.
- Rent control will not eliminate blight. If often creates a disincentive and financial burden for owners to improve and maintain their properties.

- The average rent in the City of Richmond is significantly lower than the surrounding rent controlled cities: Richmond $1492, Berkeley $2897, Oakland $2674 and San Francisco $3458.
- Richmond's $7M budget deficit exhibits the city's inability to financially support a rent control ordinance and rent control board, i. e., Berkeley $4M; San Francisco $1.5M.
- Only 40% of the rental housing stock in the city will be covered under a rent control ordinance. A large number of these qualified rental units (duplexes, tri-plexes, four-plexes and small apartment communities) are individually owned and operated by retirees, who depend on their rental income to supplement their pensions and/or social security retirements. Many of these owners are contributing members of this community who have spent their lifetimes working hard and giving back to Richmond.
- Investor interest will be lost, depressing the market value of aging rental housing.

We would like to respectfully submit the following comments for the proposed just cause ordinance and comments requested regarding the City of Glendale's Just Cause Ordinance:

Proposed Just Cause Eviction Ordinance

"Just Cause" eviction ordinances including the Glendale Just Cause and Retaliatory Evictions Ordinance sound good but what protections do they actually provide for the law abiding tenant that California laws do not?

- Just cause eviction creates a cumbersome legal process for removing nuisance tenants. These evictions often create unnecessary legal proceedings for the owner/manager while it allows the nuisance tenant to reside in the property for an undisclosed amount of time continuing to create damages that can almost never be recovered and often results in the loss of good tenants and rents.
- California tenant/landlord laws provide sufficient tenant protection for retaliatory evictions. Bay Area Legal Aid provides education and legal advice on matters involving housing and public benefits for free or a nominal fee for those persons with limited incomes. In addition to Bay Area Legal Aid there are several other agencies that provide information and assistance to tenants about their rights and responsibilities. The city already provides retaliatory eviction protections through their rental inspection program.
- A tenant in good standing is rarely asked to vacate i.e., sale of property, major renovations or owner move-in.
- The necessity for a "Just Cause" Ordinance has not been accurately quantified. What substantial proof does Richmond have that increasing numbers of rental housing units have substandard living conditions and reduced services with landlords evicting tenants

for exercising their civil rights? Richmond's mandatory rental inspection program insures tenants live in safe, habitable and well-maintained rental housing. This program now includes all rental units in the city.

Questions:

- Assumption or proof tenants who have complained about substandard living conditions and/or a reduction in services have been threatened with eviction and evicted?
- Assumption or evidence that there is a preponderance of tenants fearful of eviction and fail to complain about substandard living conditions?
- Assumption or proof that there is a substantial number of senior renters in the city with low or moderate incomes and persons on fixed incomes who are fearful of being asked to vacate, causing a detrimental effect on the stability of their living environment?

Evictions:

California laws require sufficient notices and service requirements which currently provide adequate protections for landlords and tenants.

- Currently, three (3) day notices for lease violations are not required to be served multiple times that perpetuates continued bad behavior.
- Thirty (30) and/or sixty (60) day notices served without cause allow owners to remove nuisance tenants with the least resistance and threats of retaliation.
- Unjustified and retaliatory evictions are illegal and can be protested in court. If the owner is found guilty the defendant is allowed to remain in the unit and awarded financial compensation.

There is no proof that just cause ordinances provide tenant welfare and/or protect tenants from displacement. The unintended consequences of restricting the owner's ability to remove nuisance tenants have the opposite effect by prolonging the negative living impacts on other tenants and extended community residents.

The city council is not likely to adopt a Just Cause Ordinance without some type of rent stabilization (rent control). Just cause and rent control laws are counterproductive and often add to housing expense by taking units off the market attributing to high occupancy and low turnover. These types of laws and programs have short term benefits and long term costs that impact future housing costs for years to come. The California Apartment Association believes the affordability of housing is tied to supply and demand. Just cause and rent control inhibit new construction, add to property deterioration, reduce property tax revenue, reduce consumer mobility and add substantial administrative costs. In lieu of just cause and/or rent control a few other alternate options the city could consider:

- Allow the natural progression of the housing market to adjust itself.
- Develop a fair and reasonable rent mediation ordinance.
- Promote, support and approve affordable housing developments.

Thank you again for allowing us to comment. We look forward to continuing to work with the city on this subject and future rental housing industry issues. If you have any questions or would like additional information please do not hesitate contacting me.

Sincerely,

Theresa M. Karr
Executive Director
CAA Contra Costa Napa Solano Division
tkarr@caanet.org

tmk
cc: Lina Velasco, Senior Planner
Sasha Curl, Administrative Chief
Richard Mitchell, Planning & Building Department Director
Tom Butt, Mayor

LWC

ATTACHMENT 3

ADDENDUM TO THE RICHMOND GENERAL PLAN 2030 ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF RICHMOND 5th CYCLE HOUSING ELEMENT UPDATE (2015-2023)

I. INTRODUCTION

This document serves as the environmental documentation for the City of Richmond's proposed Housing Element update. This addendum to the City of Richmond General Plan 2030 EIR demonstrates that the analysis contained in that EIR adequately addresses the potential physical impacts associated with implementation of the City's Housing Element update and that none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred. Although a Housing Element was not included as part of the General Plan, the General Plan includes land uses for residential development and the EIR analyzed the potential effects of the development of those units and the demand for services that the additional population would generate. The EIR analyzed the addition of approximately 15,548 housing units, for a total housing supply in the city of 51,258 housing units. The proposed Housing Element update provides for the development of 1,543 residential units in the city to accommodate residents at varying income levels. Therefore, the housing assumptions in the Housing Element would not exceed the assumptions for residential development in the General Plan EIR and no changes to the EIR would be required, as discussed further below.

II. BACKGROUND

On April 25, 2012, the Richmond City Council certified the Richmond General Plan 2030 Environmental Impact Report (SCH# 2008022018) and approved the Richmond General Plan 2030. The City's General Plan 2030 contains elements addressing land use, economic development, transportation, climate change, public safety, arts and culture, and open space conservation strategies to establish the framework for population and job growth and for provision of public services and facilities. The General Plan 2030 will guide development in the city for the next 20 years.

The General Plan 2030 EIR focuses on the overall effects of the General Plan 2030 within the city. The EIR evaluated the potential for environmental impacts in the following issue areas:

- Land Use Consistency and Compatibility
- Demographics
- Air Quality
- Biological Resources
- Climate Change
- Cultural Resources
- Geology, Soils, and Minerals
- Hazards, Public Safety, and Flooding
- Hydrology and Water Quality
- Noise
- Parks and Recreation
- Public Services
- Public Utilities
- Transportation and Circulation
- Visual Resources

Although the General Plan 2030 applies an approximately 20-year planning horizon, the EIR does not specify or anticipate when buildout will actually occur. Similarly, the EIR does not assume that the designation of a site for a certain use means the site will necessarily be built or redeveloped in the next 20 years. In fact, due to the large amount of underutilized land in Richmond, it is very unlikely that the city would build out within the plan horizon. Thus, the General Plan Land Use Diagram provides substantially more capacity for development than would reasonably be assumed to occur in the planning horizon, as discussed below.

III. PROJECT DESCRIPTION

State law requires every jurisdiction in California to adopt a comprehensive, long-term general plan to guide its physical development; the housing element is one of the seven mandated elements of the general plan. Housing element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law recognizes that in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, state housing policy rests largely upon the effective implementation of local general plans and in particular, local housing elements.

California's housing element law requires that each city and county develop local housing programs to meet its "fair share" of existing and future housing needs for all income groups. The Association of Bay Area Governments (ABAG) is responsible for developing and assigning these regional needs, or Regional Housing Needs Allocations (RHNA), to Bay Area jurisdictions. Consistent with the current RHNA planning period, the Richmond Housing Element is a seven-year plan extending from 2014 to 2022. California Government Code Section 65583(a)(7) requires "an assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs."

The purpose of the City of Richmond Housing Element is to develop an understanding of the existing and projected housing needs within the community and to set forth policies that promote preservation, improvement, and development of diverse types and costs of housing throughout Richmond. The Housing Element covers the ABAG's RHNA projection period for 2014-2022, or the 2014-2022 RHNA and was prepared in compliance with state general plan law pertaining to housing elements. It is necessary to clarify that the 2014-2022 RHNA covers the ABAG planning period from January 31, 2015 to January 31, 2023. Per the State HCD, this document is therefore identified as the 2015-2023 Housing Element while the 2014-2022 RHNA is consistent with ABAG's terminology.

Table 1 provides the RHNA target for the City of Richmond for 2014-2022 for each of the four household income groups for the City. Table 1 also presents a summary of units constructed or pending in the city during the 2014-2022 period, along with the remaining RHNA need.

Table 1
2014-2022 Regional Housing Needs Allocation

Income Category	RHNA	Units Built, Under Construction, or Approved Since 2014	Remaining RHNA Need
Very Low	438	164	274
Low	305	437	(132)
Moderate	410	0	410
Above Moderate	1,282	291	991
Total	2,435	892	1,543

Source: City of Richmond Housing Element, Table 5.40

IV. LEGAL STANDARDS

CEQA Guidelines Section 15162 specifies the type of documentation required when changes are proposed to a project. CEQA Guidelines Section 15162 states:

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

(c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.

(d) A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.

Section 15164 of the CEQA Guidelines includes situations when a subsequent or supplemental EIR is not required. CEQA Guidelines Section15164 states:

(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

(c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.

(d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.

(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

V. ANALYSIS

As discussed in the Draft EIR (p. 2-40), to determine a realistic projection for future development in the city, population and job growth were estimated using a "regional share" approach for the horizon year 2030. That methodology assumed that Richmond would capture some percentage of the projected regional growth in Contra Costa County. Between 1980 and 2005, Richmond's share of regional population growth was 8.39 percent. ABAG projected Richmond would capture 10.91 percent of regional growth. However, because of the City's goal to stimulate higher-intensity development within the city, the EIR assumed that Richmond would capture an even greater percentage of regional population growth—13 percent. The number of jobs that would be generated was calculated based on ABAG's projected ratio of jobs to population for Richmond in 2030 (0.48 jobs per person). Based upon this methodology, the EIR determined that the General Plan could result in an increase in population of 30,147, adding approximately 15,548 housing units, for a total housing supply in the city of 51,258 housing units. There have been no changes in the circumstances in the city with regard to population changes or the amount of available land designated for residential use in the city that would warrant changes to the EIR.

The General Plan identifies approximately 4,358 acres designated for residential land use, with approximately 402 of those acres in the designated change areas of the city (see Table 2-4 in the Draft EIR), and the EIR discussed the potential physical effects of development of these areas of the city. As discussed in the EIR, these residential land use designations would be more than adequate to accommodate the residential growth assumed to occur in the city within the 20-year life span of the General Plan. In addition to physical effects of the development of residential uses, the EIR considered the improvements necessary to serve that development. General Plan policies related to infrastructure provision are described in the technical sections in the EIR. Of particular note is Policy CF1.4, which requires that new development provide proportionate facilities and infrastructure improvements as development occurs and that new developments must mitigate impacts or contribute adequate infrastructure to meet additional demand for roads, parks, schools, and utilities. Other policies considered include those related to improving bicycle, pedestrian, and transit circulation; maintaining adequate street capacity and reducing congestion for all modes of transportation on the

street and freeway system; securing adequate facilities, equipment, and personnel for police and fire; and maintaining and upgrading existing water, gas, electricity, telecommunications, and cable infrastructure and associated programs and services. Therefore, the General Plan 2030 EIR analysis comprehensively considered all aspects of accommodating new residential development and the accompanying new residents—from the physical effects of the development itself to the increased demand for services and utilities that could result in physical effects.

To determine the availability of adequate sites for residential development for the Housing Element update process, the City conducted a comprehensive review of vacant sites designated for residential and mixed-use development in Richmond. Based on this assessment of future residential production potential in the city, it was determined that Richmond currently has approximately 228 acres of developable, vacant land zoned for residential development. Conservatively assuming an 80 percent buildout factor, the City determined these properties can accommodate 2,664 residential units, of which 1,567 units could be developed in single-family and multi-family zoning districts. The City also considered the potential for multi-family development in commercial zoning districts (C-1, C-2, C-3, CB, and CC). These commercial zones permit densities equal to that of the MFR-2 zone (up to 34.8 units per acre). Thus, an additional 1,096 units could be developed in these commercial zoning districts.

The MFR-2, MFR-3, and commercial zoning districts with development densities greater than 30 units per acre have historically been developed with units affordable to lower-income households, so these are areas most likely to accommodate much of Richmond's share of the regional housing need for lower-income households. Approximately 32 vacant acres are located in high-density (greater than 30 units per acre) MFR-2, MFR-3, and commercial zones, with a potential unit capacity of 1,110 units. With the development capacity available in these land use designations, the City would not require any amendments to land use designations in order to provide the housing allocation in the Housing Element. Because land use changes would not be required to accommodate the growth the housing allocation in the Housing Element, the assumptions in the EIR would not change and additional analysis is not required.

ABAG's 2014-2022 RHNA for the City of Richmond is 2,435 new housing units. The RHNA for Richmond estimates that 438 very low-income units are needed between 2014 and 2022. The City estimates that 50 percent (allowed per state law methodology) of its very low-income housing allocation is needed for housing affordable to extremely low-income households. Therefore, the City projects that 219 extremely low-income units are needed during this RHNA period. As shown in Table 1 above, since 2014, a total of 892 housing units have been approved, permitted, and/or completed in Richmond. Of those units, 164 were for very low-income households, 437 for low-income households, 0 for moderate-income households, and 291 for above moderate-income households. The methodology to credit units toward Richmond's RHNA for very low-, low-, and moderate-income households is based on the type of funding each project received. Therefore, as shown in Table 1, the

remaining RHNA is 274 very low-income units, 0 low-income units, 410 moderate-income units, and 991 above moderate-income units.

VI. CONCLUSION

The City of Richmond, acting as the lead agency, determined that an addendum is the appropriate environmental document under CEQA, because the proposed Housing Element would not require major revisions to the adopted General Plan or its associated EIR due to the involvement of new significant environmental effects or substantial increases in the severity of significant effects previously identified in the General Plan 2030 EIR.

The Richmond General Plan 2030 EIR includes an analysis of the potential physical effects of development of the General Plan, including residential growth as identified in the Housing Element. The General Plan includes 4,358 acres designated for residential land use, and the EIR analyzed the physical effects of development of that land. The EIR assumed 15,548 additional housing units would be developed to accommodate growth in the city. As discussed above, the amount of vacant residential land in the city, not including the redevelopment potential of underutilized parcels, would accommodate more housing units (2,664 units) than would be required for the remaining need in Richmond's RHNA (1,543 units).

Because the development of residential uses was envisioned in the Richmond General Plan 2030 and the provision of adequate infrastructure and services to serve that growth was anticipated in the General Plan and analyzed in the General Plan 2030 EIR, the units assumed in the Housing Element are within the development potential envisioned in the General Plan 2030 and analyzed in the associated EIR. The Housing Element would not require the designation of additional residential land for development or the expansion of services beyond that needed to accommodate the level of growth evaluated in the General Plan EIR. No additional analysis is required.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

May 15, 2015

Mr. James Goins, Acting Director
Housing & Community Development
City of Richmond
450 Civic Center Plaza
Richmond, CA 94804

Dear Mr. Goins:

RE: City of Richmond's 5th Cycle (2015-2023) Draft Housing Element

Thank you for submitting the City of Richmond's revised draft element update which was received for review on April 24, 2015, along with revisions received on May 11, 2015. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review. Our review was facilitated by a conversation on April 30, 2015 with Ms. Lina Velasco, Senior Planner, and Ms. Lisa Wise and Mr. Brad Harrington, the City's consultants.

The draft housing element meets most of the statutory requirements of State housing element law (GC, Article 10.6). The housing element will be in compliance once Richmond amends its zoning ordinance to permit year-round emergency shelters without discretionary action pursuant to GC Section 65583(a)(4)(A) as amended by Senate Bill 2 (Chapter 633, Statutes of 2007). Program H-3.6.2, identified in the previous element, committed the City to amend the zoning ordinance to permit emergency shelters without discretionary action within one year from adoption of the 4th cycle housing element. As noted in the current element on page 90, this program has not been implemented. The element will comply with housing element law once the City has completed these zoning amendments and submitted the adopted housing element to the Department pursuant to GC Section 65585(g).

To remain on an eight year planning cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) the City must adopt its housing element within 120 calendar days from the statutory due date of January 31, 2015 for ABAG localities. If adopted after this date, GC Section 65588(e)(4) requires the housing element be revised every four years until adopting at least two consecutive revisions by the statutory deadline. For additional information on housing element adoption requirements, please visit the Department's website at: http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

The Department looks forward to receiving Richmond's adopted housing element. If you have any questions or need additional technical assistance, please contact Melinda Coy, of our staff, at (916) 263-7425.

Sincerely,

Glen A. Campora
Assistant Deputy Director

AGENDA ITEM REQUEST FORM

Department: City Council **Department Head:** Councilmember Beckles **Phone:** 620-6568

Meeting Date: 5/19/2015 **Final Decision Date Deadline:** 5/19/2015

STATEMENT OF THE ISSUE: The City of Richmond is a welcoming and safe area for all residents. It is imperative that Richmond adopt this resolution in effort to stand in solidarity with residents who claim to be under assault from space-based weapons that should be outlawed by the Space Preservation Act.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐ **Other____**

ITEM SUPPORT AND SAFETY OF TARGETED INDIVIDUALS

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☐ **Other ____**

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☒ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: ADOPT a resolution in support of the Space Preservation Act and the Space Preservation Treaty to permanently ban space-based weapons - Councilmember Jovanka Beckles (620-6568).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

I-1.

CITY COUNCIL

AGENDA REPORT

DATE: May 19, 2015

TO: Mayor Butt and Members of the City Council

FROM: Councilmember Beckles

SUBJECT: SUPPORT AND SAFETY OF TARGETED INDIVIDUALS

STATEMENT OF THE ISSUE:

The City of Richmond is a welcoming and safe area for all residents. It is imperative that Richmond adopt this resolution in effort to stand in solidarity with residents who claim to be under assault from space-based weapons that should be outlawed by the Space Preservation Act

RECOMMENDED ACTION:

ADOPT a resolution in support of the Space Preservation Act and the Space Preservation Treaty to permanently ban space-based weapons (Councilmember Beckles - 620-6568).

FINANCIAL IMPACT OF RECOMMENDATION:

There is no financial impact related to this item at this time.

DISCUSSION:

The purpose of the resolution is to show support for residents that identify as Targeted Individuals by supporting the Space Preservation Act and the Space Preservation Treaty to permanently ban space-based weapons. Many targeted individuals believe they have been personally attacked with weaponry that should be outlawed by the Space Preservation Act.

Three years ago, I met Richmond resident Amy Lee Anderson about this matter. Ms. Anderson informed me she was a survivor of such horrible attacks. According to her description, these government patented technologies and weapons interfere and disrupt

the targeted individual's health physically and psychologically by remote transmission. Also, it has been brought to my attention that many survivors have reached out to their city officials peacefully, through numerous avenues of redress and accountability about these types of horrifying abuses, only to experience dismissal, being stonewalled, mocked and ignored, or a level of all out discrimination resulting in these individuals being wrongly labeled as unstable, criminals, or troublemakers.

In our city, we put forth our best efforts to listen and respect the voices, wisdom, and experiences of our residents. We will not ignore, but support those who suspect they have been exposed to these types of inhumane attacks with the intent to cause them great emotional and bodily harm. I am encouraged by these citizens who have stood up to protect our residents. I would like to encourage other officials at the local, state and national levels to explore methods to extend support to all residents.

DOCUMENTS ATTACHED:

Resolution

RESOLUTION NO. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA IN SUPPORT OF THE SPACE PRESERVATION ACT AND THE SPACE PRESERVATION TREATY TO PERMANENTLY BAN SPACE-BASED WEAPONS

WHEREAS, the Space Preservation Act and the companion Space Preservation Treaty has established a permanent ban on all space-based weapons, on the use of weapons to destroy or damage objects or persons from or that are in orbit; and the permanent termination of research and development, testing, manufacturing, production and deployment of all space-based weapons; and

WHEREAS, the Space Preservation Act, companion to the Space Preservation Treaty, introduced by U.S. Congressmen Dennis Kucinich (D-Ohio), requires the U.S. President to continue enforcement of banning space-based weapons and the use of weapons to destroy or damage persons or objects that are in or from orbit; and

WHEREAS, the Space Preservation Treaty has established an outer space peacekeeping agency to monitor outer space and enforce the permanent ban of space-based weapons. In addition, this legislation serves as a safeguard for targeted individuals who claim to be under assault from weaponry that should be outlawed by the Space Preservation Act.

WHEREAS, the well-being of all residents is of the upmost importance to the City of Richmond.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Richmond hereby supports the Space Preservation Act and companion Space Preservation Treaty, to ensure that individuals will not be targets of space-based weapons

---

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on **May 19, 2015**, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

_____
CLERK OF THE CITY OF RICHMOND

Approved:

_____
Mayor

Approved as to form:

_____
City Attorney

#I-1.

AGENDA ITEM REQUEST FORM

#J-1.

Department: City Council

Department Head: Councilmembers Pimplé, Beckles and Martinez **Phone:** 412-2050

Meeting Date: 5/19/2015

Final Decision Date Deadline: 5/19/2015

STATEMENT OF THE ISSUE: Agenda packets have become incredibly large, at times exceeding 1500 pages. It is difficult to expect a councilmember to give each item the proper scrutiny when packets are made available on such short notice. The purpose of this proposal is to allow council, staff, and the public sufficient time for proper analysis of the large agenda packets.

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐ **Other____**

ITEM _____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☐ **Other** _____

☐ **Contract/Agreement** ☒ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: DIRECT the City Manager to work with the City Clerk to develop a schedule to make the agenda packet available to the public seven days prior to the City Council meeting - Councilmember Vinay Pimplé (412-2050), Councilmember Jovanka Beckles (620-6568), and Councilmember Eduardo Martinez (620-6593).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

J-1.

CITY COUNCIL

AGENDA REPORT

DATE: May 19, 2015

TO: Mayor Butt and Members of the City Council

FROM: Councilmembers Pimplé, Martinez and Beckles

SUBJECT: AGENDA PACKET AVAILABILITY

STATEMENT OF THE ISSUE:

Agenda packets have become incredibly large, at times exceeding 1500 pages. It is difficult to expect a councilmember to give each item the proper scrutiny when packets are made available on such short notice. The purpose of this proposal is to allow council, staff, and the public sufficient time for proper analysis of the large agenda packets.

RECOMMENDED ACTION:

DIRECT the City Manager to work with the City Clerk to develop a schedule to make the agenda packet available to the public seven days prior to the City Council meeting.

FINANCIAL IMPACT OF RECOMMENDATION:

There is no financial impact related to this item at this time.

DISCUSSION:

The City Clerk makes agenda packets available to the public and council on the Friday before the city council meetings on Tuesday.

Agenda packets are large, and have sometimes exceeded 1500 pages. The agenda packets for the regular City Council meetings for the last two months have averaged 676 pages.

The agenda packets for the regular City Council meetings over the last 2 months had an average of 25 items.

Proper scrutiny of the agenda packet requires a council member to:

- Read the full agenda report and supporting documentation for every item,
- Meet and discuss the item with interested members of the public where applicable,
- Discuss the items with staff where necessary, and
- Conduct independent research where necessary.

It is very difficult for a council member to conduct proper scrutiny and review of the entire agenda packet between Friday evening and Tuesday evening for the following reasons:

- The time itself is short. If we assume that the council member devotes 8 hours on each of the four days including the weekend, and reads the packet at 30 pages an hour, over 70% of that time will be spent in just reading the agenda packet. If the packet exceeds 960 pages, the council member will not even finish the first step of reading the packet through.

- City council member is a part-time position, and is compensated accordingly. There are members who have full-time jobs, and it is impractical to expect them to make 8 hours each on Monday and on Tuesday.

- The weekend is the best time for council members to conduct outreach / be accessible to members of the public because that is when members of the public have time to interact with their council members at community events or meetings. Therefore, it is very difficult for council members to devote 8 hours each on Saturday and Sunday to the agenda packets.

For these reasons, it is unrealistic to expect city council members to be able to give agenda packets the proper scrutiny and review they deserve.

Directing staff to make agenda packets available is viable for the following reasons:

- Other cities in our area make their agenda packets available earlier than we do: Albany and El Cerrito make theirs available five days before their city council meetings while Berkeley makes its available a full twelve days before its meeting.

- Items put on the agenda by staff will not be affected since staff already has to submit their agenda reports twelve days before the council meeting.

- Only a few of the items put on the agenda by council members are time sensitive, so the need for supplements to the agenda packet will be infrequent.

The City Clerk and the City Manager may recommend a procedure to address the mayor and council members wishing to agendize time sensitive items that were not submitted prior to the deadline. The agenda report for the item should give a full

explanation of the timeline including the reasons why the item is time sensitive, and the reasons why it could not be submitted on time. The procedure regarding emergency items will remain the same.

AGENDA ITEM REQUEST FORM

#J-2.

Department: Mayor's Office **Department Head:** Mayor Tom Butt **Phone:** 620-6503

Meeting Date: 5/19/2015 **Final Decision Date Deadline:** 5/19/2015

STATEMENT OF THE ISSUE: CyberTran International Inc. (CTI) would like the Contra Costa Transportation Authority (CCTA) to include the Richmond ultra-light rail transit (ULRT) project in its 2016 Measure J Expenditure Plan, which could potentially provide $45.5 million for phase one of the project. CCTA would consider adding CTI to the expenditure plan if the West Contra Costa County Transportation Advisory Committee (WCCTAC) recommends the action.

INDICATE APPROPRIATE BODY

☒ City Council ☐ Redevelopment Agency ☐ Housing Authority ☐ Surplus Property Authority ☐ Joint Powers Financing Authority

☐ Finance Standing Committee ☐ Public Safety Public Services Standing Committee ☐ Rules and Procedures Standing Committee ☐ Local Reuse Authority ☐ Other_____

ITEM _____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☐ **Other** _____

☐ **Contract/Agreement** ☒ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: CONSIDER requesting that the West Contra Costa Transportation Advisory Committee recommend that the Contra Costa Transportation Authority include funding for CyberTran International Inc. in the 2016 Measure J Expenditure Plan – Mayor Tom Butt (620-6503).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

J-2.

AGENDA REPORT

MAYOR'S OFFICE

DATE: May 19, 2015

TO: Members of the City Council

FROM: Mayor Tom Butt

SUBJECT: REQUEST FOR THE WEST CONTRA COSTA TRANSPORTATION ADVISORY COMMITTEE TO RECOMMEND THAT THE CONTRA COSTA TRANSPORTATION AUTHORITY INCLUDE FUNDING FOR CYBERTRAN INTERNATIONAL INC. IN THE 2016 MEASURE J EXPENDITURE PLAN

STATEMENT OF THE ISSUE:

CyberTran International Inc. (CTI) would like the Contra Costa Transportation Authority (CCTA) to include the Richmond ultra-light rail transit (ULRT) project in its 2016 Measure J Expenditure Plan, which could potentially provide $45.5 million for phase one of the project. CCTA would consider adding CTI to the expenditure plan if the West Contra Costa County Transportation Advisory Committee (WCCTAC) recommends the action.

RECOMMENDED ACTION:

CONSIDER requesting that the West Contra Costa Transportation Advisory Committee recommend that the Contra Costa Transportation Authority include funding for CyberTran International Inc. in the 2016 Measure J Expenditure Plan – Mayor Tom Butt (620-6503).

FINANCIAL IMPACT:

Measure J funding allocated for CTI's Richmond ULRT project would not be available for other countywide and local transportation projects. Examples of these other projects include:

- Funding ferry service between Richmond and San Francisco
- Extending the Bay Trail, including the closure along the I-580 from Castro St. to the Richmond-San Rafael Bridge

- Participation in studies and implementing plans related to the Berkeley Global Campus at Richmond Bay
- Funding for local street and road maintenance and improvement
- Transit funding for seniors and individuals with disabilities
- Revising the Growth Management Program to encourage more housing
- Providing bus-oriented improvements along local routes, and expanding bus service along important West County corridors
- Implementing local and regional bicycle and pedestrian plans
- Supporting completion of the Wildcat Creek Trail
- Implementing recommendations of specific plans along 23rd St. in the cities of Richmond and San Pablo

DISCUSSION:

In November 2004, Contra Costa County voters approved Measure J with a 71 percent vote. The measure provided for the continuation of the county's half-cent transportation sales tax. As with Measure C (the original 1988 transportation sales tax measure), the tax revenues are used to fund a voter-approved Expenditure Plan of transportation programs and projects. Measure J will provide approximately $2.5 billion for countywide and local transportation projects and programs through the year 2034.

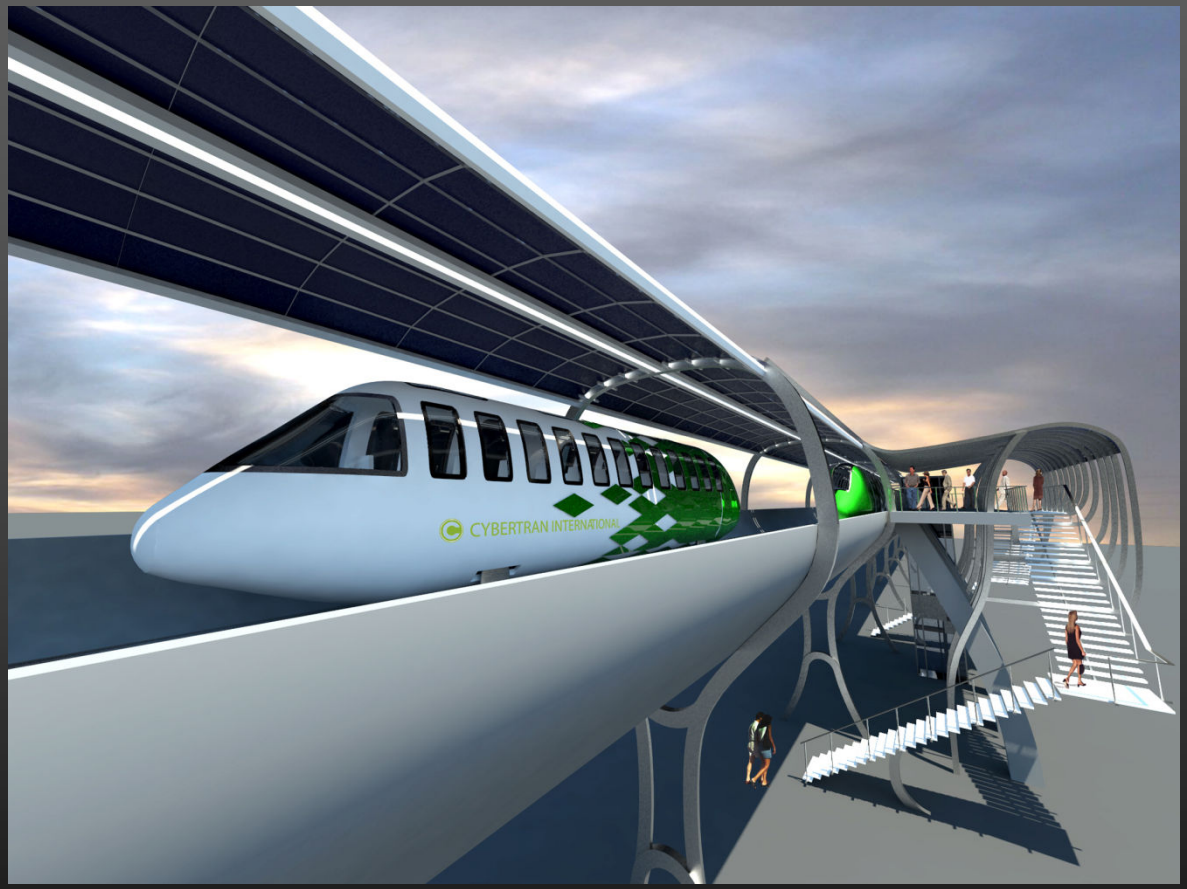
In July 2011, the Richmond City Council passed Resolution No. 76-11 to establish a public-private partnership between the City and CyberTran International Inc. (CTI) to develop an ultra-light rail transportation system (ULRT) in support of the City's multimodal approach to reduce transportation-related greenhouse gases. Since that vote, CTI and City staff have worked to identify and secure federal, state, regional and local funding for the ULRT system.

The first phase of the ULRT project proposes to connect the Berkeley Global Campus at Richmond Bay to the Richmond Bart Station, with several stops in between. CTI's leadership team believes they can secure $42.5 million for this phase of the project if it is included in the Contra Costa Transportation Authority's (CCTA) Measure J Expenditure Plan. The $42.5 million would amount to one-third of the funding needed to complete phase one of the project.

ATTACHMENTS:

March 24, 2015 CTI Presentation to Richmond City Council
December 17, 2014 CTI Project Update Letter
Public-Private Partnership Resolution

CyberTran International Inc.



Richmond City Council
March 24th, 2015

CYBERTRAN INTERNATIONAL

*** Confidential and Proprietary ***

Background

- **July 26, 2011, RESOLUTION NO. 76-11**

Resolution of the Council of the City of Richmond (COR) supporting a Partnership Between the City and CyberTran International Inc. (CTI)

- **2012-2013 - COR and CTI worked successfully to modify FTA program 5312 to include the development of new passenger rail technologies**
- **2013-2014 CTI provides proposal to COR including a ULRT corridor connecting various commercial and residential centers and future sites within the city to BART**
- **2014 - COR and CTI met with Chinese sister city Zhoushan to develop Chinese markets and first project in Zhoushan.**
- **2015 – CTI engages overseas investors to finance Transit-Oriented Developments in Richmond along a ULRT corridor**
- **2015 - CTI and COR negotiate funding for demonstration in Richmond**

*** Confidential and Proprietary ***

Problems with Building Transit in Today's Cities

- Capital cost per unit of transit capacity is very high > $100,000+/ new passenger
- Urban transit infrastructure corridors are constrained - scarce and size limited
- It is difficult to achieve Sustainable Economic, Environmental, and Social Development - jobs and revenue

CYBERTRAN INTERNATIONAL

*** Confidential and Proprietary ***

The CyberTran Solution

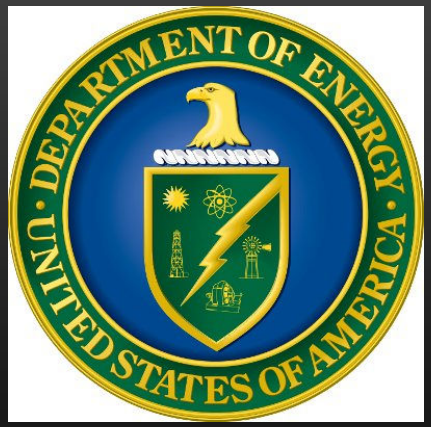
- **~75% reduction in capital cost per unit of capacity**
- **Affordable means to stimulate growth and economic development**
- **Low impact interconnected infrastructure**

*** Confidential and Proprietary ***

Developed at the Idaho National Laboratory

System Engineering Goals:

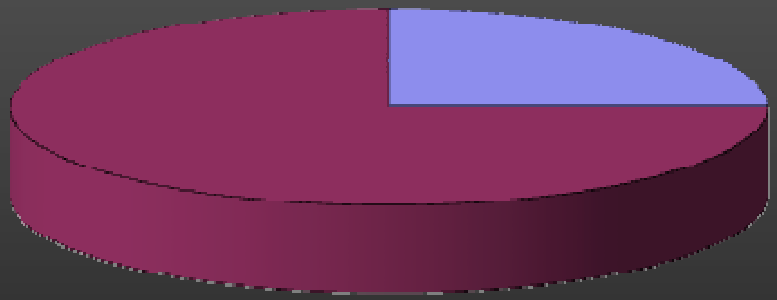
- Reduced Cost
- Improved Service
- Increased Safety



TYPICAL COST BREAKDOWN FOR PASSENGER RAIL

Vehicles, Design, Power, etc.

25%



Route Infastructure

75%

CYBERTRAN INTERNATIONAL

*** Confidential and Proprietary ***

Optimal Vehicle Design

- 6 to 30 Passengers per Vehicle
- Lightweight - 10,000 Pounds
- Proven Materials and Technologies
- Steel Wheel on Steel Rail
- Electrically Powered – Solar ready
- Computer Controlled

*** Confidential and Proprietary ***

Light Vehicles Lead to Inexpensive Infrastructure

Easy and fast to install

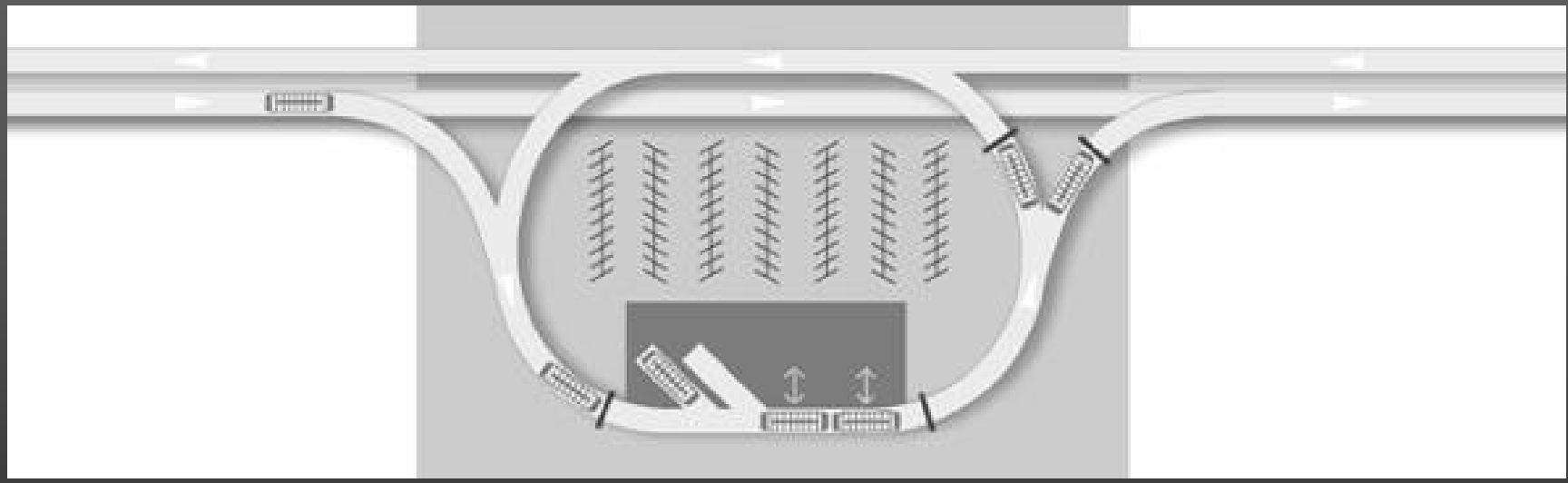
Components prefabricated offsite

No ground clearing

8’ ROW per direction

*** Confidential and Proprietary ***

Many Light Vehicles Allow Off Line Stations



On-demand service

Direct-to-destination travel

Increased capacity

Networkable lines

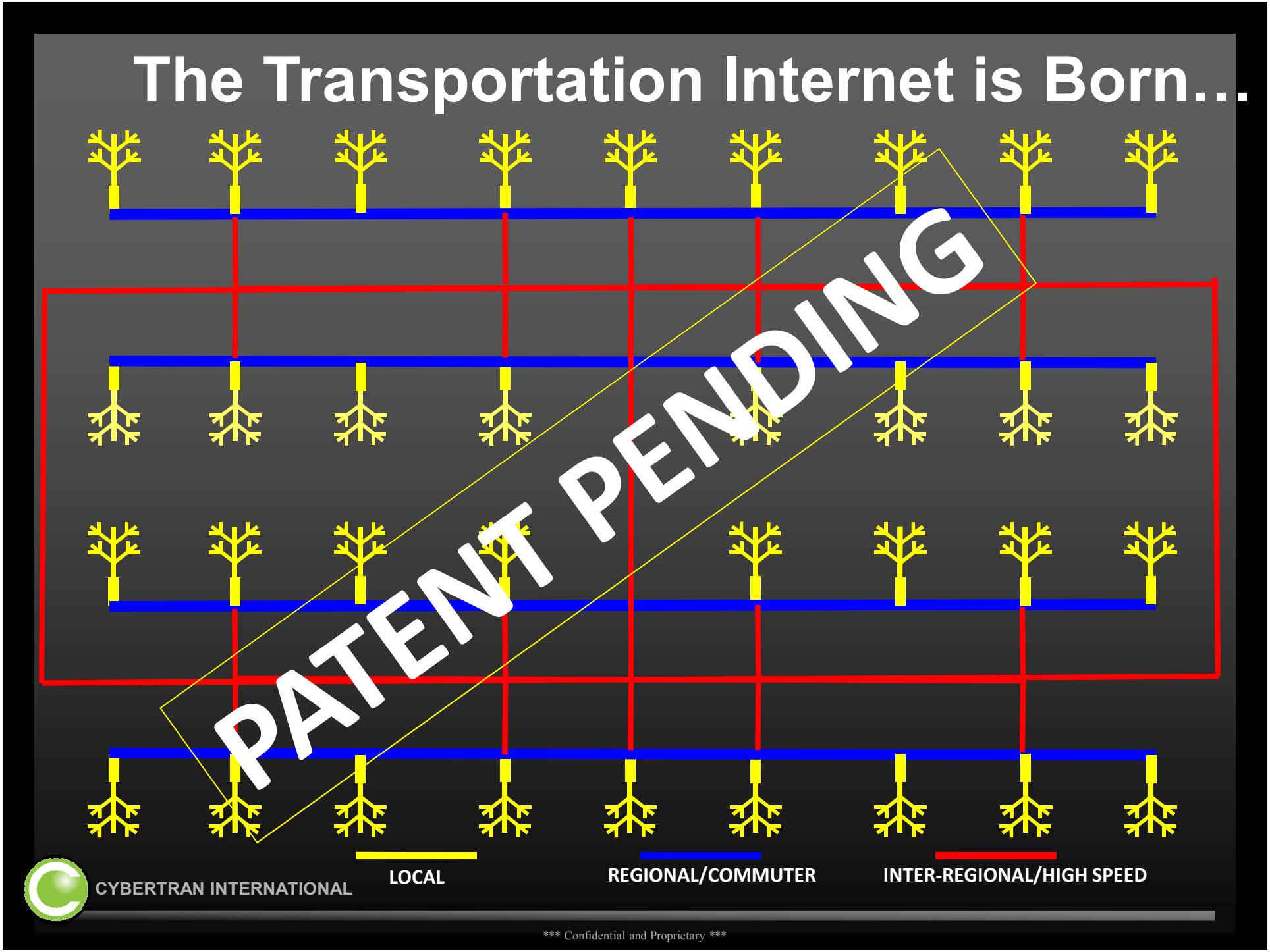
CYBERTRAN INTERNATIONAL

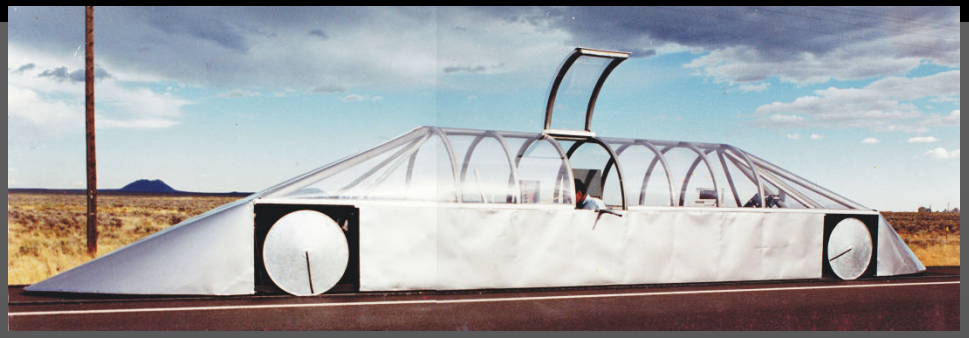
*** Confidential and Proprietary ***

Off-line Stations Enable Transit-Oriented Development

- Lower density requirement for cost-effectiveness
- Reduces dependence on automobiles
- More stations mean more ridership
- Higher passenger convenience
- Lower construction impact
- More flexible planning
- Quieter
- Lower visibility

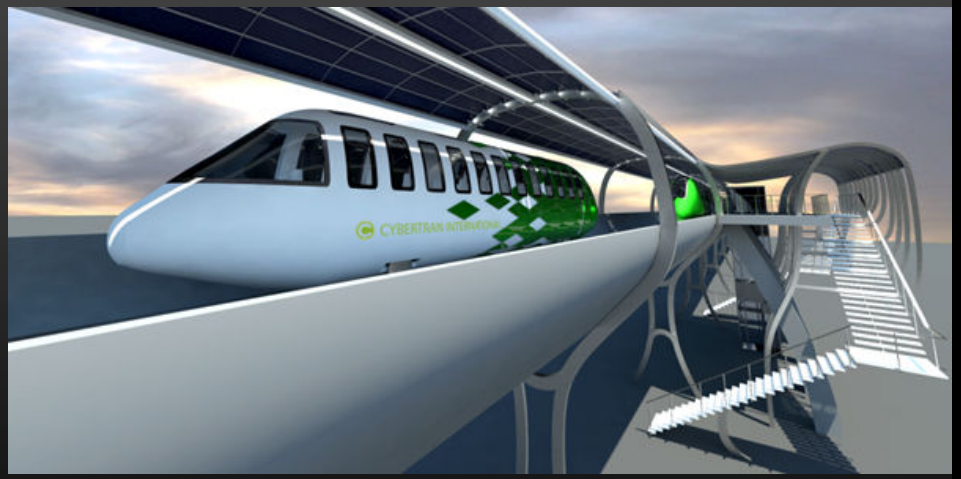
*** Confidential and Proprietary ***


The Transportation Internet is Born…
PATENT PENDING
LOCAL
REGIONAL/COMMUTER
INTER-REGIONAL/HIGH SPEED
CYBERTRAN INTERNATIONAL
*** Confidential and Proprietary ***



First Generation

Second Generation



Next Generation

CYBERTRAN INTERNATIONAL

*** Confidential and Proprietary ***

Development Status

- **Previous Development**
  - Built test vehicle and test track, 60 mph
  - Built 2nd test vehicle and tested in curves
  - Built test track and innovative switch and tested
  - Tested multiple drivetrain configurations
  - Built 10% grade track and successfully demonstrated
  - Built three ¼ scale vehicles and tested

- **Previous studies and analyses:**
  - Morrison-Knudsen – concluded 10-50% of cost of conventional
  - Parsons-Brinkerhoff – verified guideway cost estimates
  - Applied Engineering Services – verified cost estimates
  - HNTB – verified seismic resilience of guideway
  - BART – estimated ¼ the cost of BART, ½ the operating cost

Development Status (2)

- **Simulations**
  - Vehicle simulated up to 160 mph, American Association of Railroads
  - Structure simulated for earthquakes, PGH Wong Engineering
  - Performance simulated at airport, Kimley-Horn
- **Current development**
  - Vehicle Management System
  - Vehicle/station control interface
  - Advanced Switching
- **Future Development**
  - Advanced Control system
  - Full Scale Integration and Test
  - Solar-powered Transit Micro Grid
  - Rapid ULRT Test Track
  - PPP Pilot Project

*** Confidential and Proprietary ***

Proposed UC Berkeley-LBNL Demonstration and Test Track

CYBERTRAN INTERNATIONAL

*** Confidential and Proprietary ***

TY·LIN INTERNATIONAL

DSi
Deterministic Systems, Inc.

UNITED STREETCAR LLC

SEL

TODD JERSEY ARCHITECTURE

Interfleet Technology

CALIFORNIA PATH

Joint Venture Monterey Bay

manex
Business Transformation. Delivered.

Sandia National Laboratories

Lawrence Livermore National Laboratory

BERKELEY LAB
Lawrence Berkeley National Laboratory

CHDC
Community Housing Development Corporation
Changing lives, block by block

Enterprise℠

LISC
Building Sustainable Communities

*** Confidential and Proprietary ***

SACRAMENTO BUSINESS JOURNAL

From the Sacramento Business Journal
[http://www.bizjournals.com/sacramento/news/2013/07/14/davis-research-ultra-light-rail-transit.html

DESCOR BUILDERS
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Davis lays track for ultra-light rail transit demonstration

Jul 15, 2013, 3:30am PDT

Mark Anderson
Staff Writer- Sacramento Business Journal
Email | Twitter | LinkedIn | Google+

Davis is interested in becoming home to a rapid ultra-light rail transit demonstration project, but the idea is still beginning its journey.

On Tuesday, the city of Davis council approved a resolution of support for what might become a major mode of transportation in the future.

At this point, there is no project or location or funding, but the resolution allows for the city to explore funding and development.

The city is hoping to do a research project on the technology, and the resolution allows the city to identify funding sources for such a radical idea, said Rob White, city of Davis chief innovation officer.

Possible sources of funding include the U.S. Department of Transportation or the U.S. Department of Energy. The system would be electric, and it could be covered in solar cells, putting the entire system into net gain for generation.

Whereas a traditional light rail car weighs up to 100,000 pounds, the ultra-light concept is to have smaller cars that weigh around 10,000 pounds.

The low weight offers more flexibility, so, for example, the cars can be routed over existing bridges without too much additional work as they weigh less than big rigs.

The cars can run on raised tracks that can be assembled relatively inexpensively in sections, much like giant steel-reinforced concrete Hot-Wheels track.

Such a system is anticipated to cost a third of that of traditional light rail and a tenth of a Bay Area Rapid Transit-style track, White said.

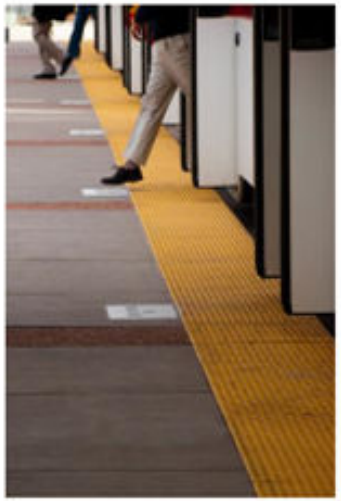
In addition to adding transportation infrastructure, such a system would advance the city's economic development goals and work towards climate action to reduce car trips.

Though no funding sources have been identified, but the concept could draw attention, White said. "You just never know who might get behind this kind of solution."

One of the systems the city will consider is one developed by CyberTran International Inc. of Richmond. The company is working with the East Bay city on a low-speed demonstration track for commuter transportation there. Davis and Yolo County could be a test track for high-speed inter-city service.

Mark Anderson covers technology, agriculture, banking and finance, venture capital, energy, mining and hospitality for the Sacramento Business Journal.

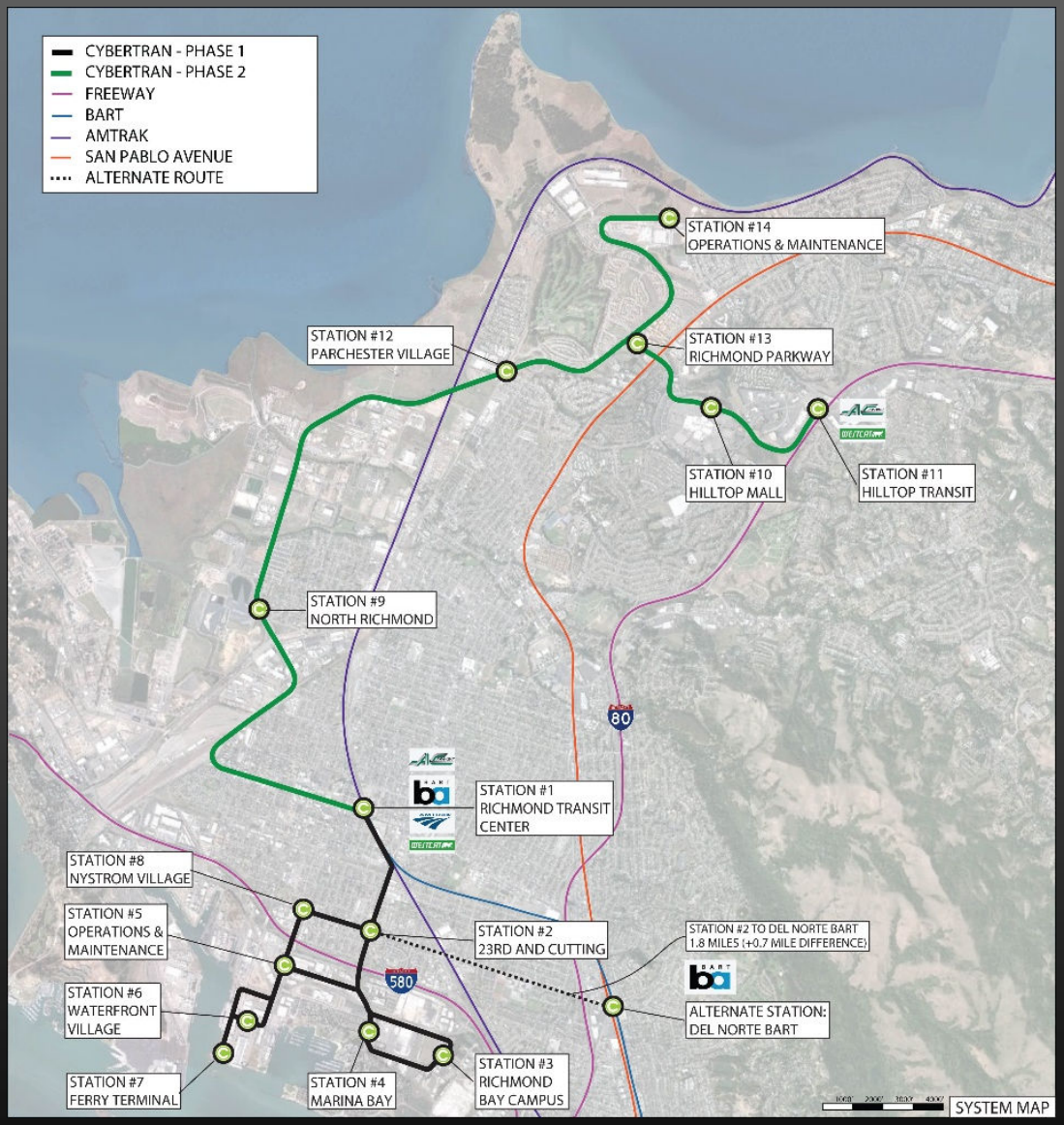
DESCOR BUILDERS
10 Years of Building a Legacy



iStockphoto

The city of Davis wants to explore what it would take to bring an ultra-light rail transit demonstration project to the city. Such a project would be electric, could be covered in solar cells, and would weight far less than traditional light-rail cars.

City of Richmond Transit System



CYBERTRAN INTERNATIONAL

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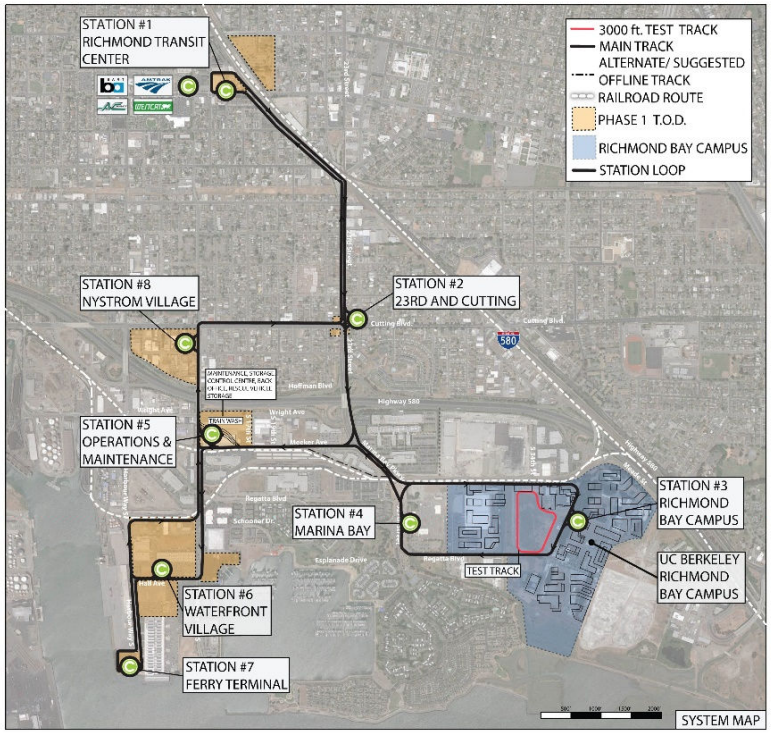
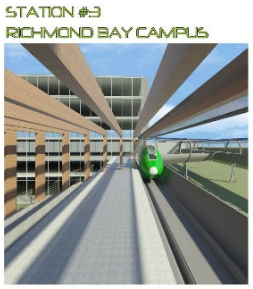
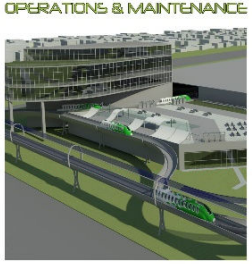
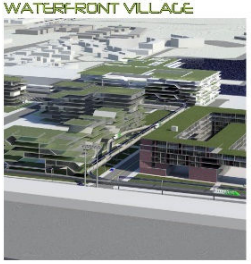
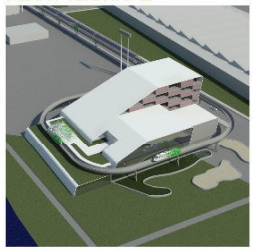
CYBERTRAN RICHMOND SYSTEM - PHASE I











CONNECT

SUSTAIN

EMPOWER

IMPLEMENT

Station Images

Summary for TOD – Phase One CyberTran Richmond System

Station	Acreage	SF of TOD	Cost to Construct	Sale of TOD	Potential Profit
1	7.3	750,000	175m	250m	40-75m
2	1.5	350,000	60m	100m	30-40m
3	134	5,400,000	NA	NA	NA
4	1.5	0	Sta. only	NA	NA
5	10.3	310,000	50m	80m	20-30m
6	28.1	10,500,000	2b	3b	1b
7	2.3	200,000	50m	100m	30-50m
8	18.6	4,000,000	1b	1.5b	300-500m
Totals	203.6	21.54m	3.35b	5.03b	1.42-1.69b

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City of Richmond
How can you help?

1. Seek FTA 5312 Program funding for demonstration track
2. Join CCTA to find matching funds from regional agencies
3. Seek planning grants to study a ULRT System in Richmond
4. Invite DOT officials to Richmond to tour ULRT Project
5. Seek grant opportunities to move our PPP forward

CYBERTRAN INTERNATIONAL

*** Confidential and Proprietary ***

UC Berkeley Richmond Bay Campus
1301 So. 46th Street Bldg. 112 Ste. 4
Richmond, CA 94804
www.cybertran.com

December 17, 2014

City Council
City of Richmond
450 Civic Center Plaza
Richmond, CA 94804-1630

Subject: Public Private Partnership Update
Reference: CyberTran International, Inc.

Dear Councilmember,

2014 has been another milestone year for our company. As our partnership moves forward into 2015 we find it important for you to know what has been accomplished and what can we expect in the near future.

Every since the City Council voted in 2011 to enter into a Public Private Partnership with CTI and to take actions to plan for a ULRT system in the General Plan we have never waivered from that mission and great progress has taken place since then. This partnership has served us very well.

With this letter we have included a revised copy of our proposed Richmond ULRT Transit Project (Phase One). We have changed the route from connecting the UCB Richmond Bay Campus (UCB RBC) to the Del Norte BART station to connecting the campus to the Richmond BART station. This keeps the system jurisdiction within the city's limits and also enhances the downtown area with greater sustainability.

Currently Neil is in China working to secure possible financing for the first phase of this system. We have been negotiating this project with a Fortune 500 company in China for over 12 months. We feel we are very close. Neil will also make his third visit this year to Richmond's Sister City Zhoushan. They have been very aggressive about taking a dual path with Richmond where they would like to be the first in China to deploy a ULRT system and they would like to have the manufacturing for all of China in their city. They are especially happy with the possible funding source in China.

This is an important time for our partnership. The groundwork we have done over the last 3 years in Washington D.C. is finally beginning to develop into some tangible results. There are opportunities available to us that we cannot afford to miss. I'm sure you are aware that with Richmond's lead we were able to get language inserted in the Transportation Re-Authorization Bill which would support a program to provide possible funding of our much needed Demonstration Track which is proposed to be built at the UCB RBC. Getting the language inserted was a monumental task. This was followed by passage in the House, the Senate and then signed by the President.

We have been patiently waiting for the federal government to pass the Spending Bill which put into play the possible funding for our Demonstration Track. Recently we were in D.C. advocating for our position in hopes that a bill would soon be passed. I'm happy to say they finally got it done and it passed three days ago. Now the work really starts! But wait, there's more!

With the City of Richmond we have been advocating for the Department of Transportation to include dollars for the demonstration of transit innovation in the T.I.G.E.R Grant process. To often the dollars have only gone to shovel ready projects that have been backlogged and lack in innovation. Well they have finally heard us and the upcoming T.I.G.E.R Grant will include PLANNING DOLLARS (i.e. E.I.R's etc.) for transit innovation projects that lead to deployment. This was confirmed in our meeting with the Administrator of the T.I.G.E.R. Grant in which Lori Reese Brown attended on our last visit to D.C.

Part of the requirements needed for T.I.G.E.R approval is that the application must include studies and analysis demonstrating the effects on energy efficiencies and reduction, Green House Gas reduction and Traffic Congestion relief. On the last visit to DC the Office of Sustainable Communities, a joint venture between the US EPA, HUD and DOT has offered to provide technical assistance and conduct these studies. All the city has to do is ask!

The Contra Costa County Transportation (CCTA) has recently released its new expenditure plan. I'm glad to announce that the Richmond ULRT System project is now on their project list. This is an important step towards attracting matching funds for the federal expenditure of funds from FTA for the demonstration track. The staff at CCTA is being very supportive of our partnership and is taking steps to be strong advocates in the Region of Richmond ULRT system plan. But wait, there's more!

Two years ago while in Washington we were told the federal government is working to determine what technology will become the new standard in Transit Innovation. Several months ago we received a Request for Information (RFI) for the Federal Highway Administration (FHWA) seeking information on our system. Several AMERICAN companies responded. Two weeks ago a two day workshop was held at the Federal Transit Administrations regional office in San Francisco with a joint session concurrently taking place at the FTA in D.C. This teleconference was hosted by the FHWA and all the respondents were asked to present their technologies to the group. I can share this with you! Our technology and the work we are doing with the City of Richmond, in my opinion, FAR exceeded the rest.

What is needed? Your support!

Please provide the City Manager with your support in:

- Aggressively preparing and applying for the T.I.G.E.R Grant
- Work with CCTA in advocating for matching funds from our regional agencies (MTC, BAAQMD, etc.)

- Prepare to be the lead applicant for a $15M funding Request for Proposals (RFP) from the FTA for the demonstration track.
- Invite the FTA Regional Director to take a tour of Richmond and become familiar with the South Shore Specific Plan, UC Berkeley Richmond Bay Global Campus plan, the City of Richmond ULRT Transit plan.
- Request technical assistance from the Office of Sustainable Communities.
- Invite the DOT Secretary to take a tour of Richmond and become familiar with the South Shore Specific Plan, UC Berkeley Richmond Bay Global Campus plan, the City of Richmond ULRT Transit plan.

This year CTI participated in the Clean Tech Open. Although we did not win this high profile competition our company's profile has been elevated. As a result several other cities have expressed an interest in ULRT. We are currently in discussions with several communities and are building a consortium of supportive cities with transit and economic development needs throughout the state. We are hopeful that these cities will follow the leads taken by the City of Richmond and the City of Davis with CyberTran International.

Included in this packet are copies of Letters of Support we have received this year for our joint efforts. We look forward to the coming year and predict great steps forward with the City of Richmond.

Should you have any questions please do not hesitate to call me at 510 472 4145.

Sincerely,

D. Dexter Vizinau
President

CC: Bill Lindsay
Lori Reese-Brown
Congressman Mark DeSaulnier

November 3, 2014

Martin Engelmann
Deputy Executive Director, Projects
Planning Department
Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597

Comments on Contra Costa Transportation Authority 2014 Draft Countywide Transportation Plan

Dear Mr. Engelmann:

A balanced and efficient transportation infrastructure is essentially to the quality of life and economic vitality of any functioning community. The City of Richmond applauds the work of the Contra Costa Transportation Authority and its ongoing effort to update the Countywide Transportation Plan (CTP).

The CTP includes the list of projects that is necessary for the City of Richmond to improve quality of life for its residents, and to provide the foundation for continued economic growth. In particular, the City of Richmond places a very high priority on the implementation of project number 4240 (Cyber Train - an ultra-light rail transit system).

The Cyber Train project is a unique project that addresses the City's needs in transportation, economic development and job creation. This project meets four of the five goals articulated in the Executive Summary of the draft 2014 CTP, namely to:

1. Support the efficient, safe, and reliable movement of people and goods using all available travel modes;
2. Manage growth to sustain Contra Costa's economy, preserve its environment and support its communities;
3. Expand safe, convenient and affordable alternatives to the single occupant vehicle; and
5. Continue to invest wisely to maximize the benefits of available funding.

Upon the successful completion of the 2014 CTP, we look forward to working with you and others at the Authority to develop the steps and process necessary to implement this and other City of Richmond projects.

Sincerely

Bill Lindsay
City Manager

450 Civic Center Plaza, Richmond, CA 94804-1630
Telephone: (510) 620-6512 Fax: (510) 620-6542 www.ci.richmond.ca.us

BART
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P.O. Box 12688
Oakland, CA 94604-2688
(510) 464-6000

#J-2.

2014

Joel Keller
PRESIDENT

Thomas M. Blalock, P.E.
VICE PRESIDENT

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GENERAL MANAGER

DIRECTORS

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2ND DISTRICT

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4TH DISTRICT

John McPartland
5TH DISTRICT

Thomas M. Blalock, P.E.
6TH DISTRICT

Zakhary Mallett, MCP
7TH DISTRICT

James Fang
8TH DISTRICT

Tom Radulovich
9TH DISTRICT

November 3, 2014

Martin R. Engelmann, PE
Deputy Executive Director, Planning
Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597

Subject: Inclusion of CyberTran in Technology Innovation Expenditure

Dear Mr. Engelmann:

I am writing to submit comment regarding the technology innovation component of the Countywide Transportation Plan (CTP). I appreciate the Contra Costa Transportation Authority providing me and members of the public this opportunity to comment.

CyberTran, an ultralight, direct-to-destination, rail transport system, is a unique transport system designed by CyberTran International that I believe should be afforded great consideration as part of the technological innovation investments in the CTP. The envisioned system has numerous environmental benefits, including an extensive reliance on renewable energy sources. In addition, the direct-to-destination system design of CyberTran is a somewhat new concept that, if successful, will birth a new option when planning of future cities' and regions' transport networks. Finally, investing in this technology's research and potential would afford Richmond and Contra Costa County greater significance as the technology gets tested and implemented worldwide. In fact, a Chinese city has already expressed an interest in being the first Chinese city with the system, as well as a vehicle manufacturing site for CyberTran – and Richmond's name will be on it! Hence, supporting the growth and success of this innovative transportation technology will have positive impacts on Contra Costa County's local economy.

In conclusion, I ask that you consider my comments and expressed support of CyberTran technology being included in the technology innovation investments of Contra Costa County's CTP.

Sincerely,

Zakhary Mallett, MCP
Director, District 7

cc: Dexter Vizinau, CyberTran International

#J-2.

John Gioia (say "Joya")
Supervisor, District I
Contra Costa County
Board of Supervisors

Contra Costa County

11780 San Pablo Avenue, Suite D
El Cerrito, California 94530
Phone: (510) 231-8686
Fax: (510) 374-3429

November 3, 2014

Martin R. Engelmann, PE
Deputy Executive Director, Planning
Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597

Dear Mr. Engelmann,
I am writing to support Richmond Cyber Train's request to be included in CCTA's 2014 Countywide Comprehensive Transportation Plan (CTP).

As a member of the California Air Resources Board and the Bay Area Air Quality Management District, I believe the Richmond Cyber Train Project (Project Number 4240), which would provide ultra-light rail transit to residents in Richmond, is aligned with the goals of the CTP to offer transportation alternatives in Contra Costa County through 2040.

CCTA has a proven track record of success with its past CTPs, and I am confident that the 2014 CTP will continue to build on this success and secure our transportation future.

If I can be of further assistance, please do not hesitate to contact me.

Respectfully,

John Gioia
Supervisor, District One

Email: john_gioia@bos.cccounty.us • Website: www.cocobos.org/gioia

EAST RICHMOND HEIGHTS ✦ EL CERRITO ✦ EL SOBRANTE ✦ KENSINGTON ✦ MONTALVIN MANOR
NORTH RICHMOND ✦ PINOLE ✦ RICHMOND ✦ ROLLINGWOOD ✦ SAN PABLO ✦ TARA HILLS

JOHN GARAMENDI
3RD DISTRICT, CALIFORNIA

ARMED SERVICES COMMITTEE
STRATEGIC FORCES SUBCOMMITTEE
TACTICAL AIR AND LAND FORCES SUBCOMMITTEE

TRANSPORTATION AND INFRASTRUCTURE COMMITTEE
RANKING MEMBER
COAST GUARD AND MARITIME TRANSPORTATION SUBCOMMITTEE
WATER RESOURCES AND ENVIRONMENT SUBCOMMITTEE

AGRICULTURE COMMITTEE
GENERAL FARM COMMODITIES AND RISK MANAGEMENT SUBCOMMITTEE

UNITED STATES
HOUSE OF REPRESENTATIVES

2438 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PHONE: (202) 225-1880
FAX: (202) 225-5914

#J-2.

DISTRICT OFFICES

412 G STREET
DAVIS, CA 95616
PHONE: (530) 753-5301
FAX: (530) 753-5614

609 JEFFERSON STREET
FAIRFIELD, CA 94533
PHONE: (707) 438-1822
FAX: (707) 438-0523

990 KLAMATH LANE, SUITE 4
YUBA CITY, CA 95993
PHONE: (530) 329-8865
FAX: (530) 763-4248

March 24, 2014

Victor Mendez, Administrator
U.S. Department of Transportation
Federal Highway Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

RE: US Department of Transportation FHWA RFI (No. DTFH6114R100007) for Novel Surface Transportation Systems – Support for CyberTran International Ultra-Light Rail Transit

Dear Administrator Mendez:

CyberTran International (CTI) has requested my support for their submission to the Federal Highway Administration's (FHWA) Request for Information (RFI) on novel surface transportation systems. I understand that the FHWA Exploratory Advanced Research (EAR) Program is working with other U.S. DOT agencies to seek information on the current development of novel surface transportation systems. CyberTran's ultra-light rail transit (ULRT) technology is a good example of today's advanced modal technologies and has the capability to meet the nation's future transit needs.

As a United States Congressman representing California's 3rd District, it is my responsibility to enact projects and policies that promote community prosperity and sustain a high quality of life. A top priority of mine includes responsible community development and job creation, which is why I support CyberTran's efforts to bring a quarter scale model of this rail-based, electric vehicle transportation technology to the City of Davis in my district. I am aware that CyberTran International has identified the City of Davis as a strong candidate to pursue Phase I of their Ultra-Light Rail Transit Demonstration Project and may eventually be able to commercialize this pioneering technology system whose engineering analysis was completed at the U.S. Department of Energy's Idaho National Lab. This system, when fully implemented in Davis, would connect with its existing transit, provide residents with a safe and efficient transit option, reduce congestion, create jobs, and help the city meet its climate action and sustainability objectives. As the author of multiple Make It In America bills to reignite domestic manufacturing, I'm excited to see an American-made system with such potential.

I feel strongly that federal investments in ultra-light rail transit are essential to meet future transportation demands and will advance our national priorities towards energy efficiency and job creation in green technology. Once completed, CyberTran's ultra-light rail transportation system could allow people to travel efficiently and quickly while using renewable energy. Their system is projected to use 90% less energy and create 98% fewer greenhouse gas emissions per passenger mile traveled than automobiles. New modal technologies like these could significantly benefit our region and other congested cities throughout the United States.

I support CyberTran International's efforts to advance their ULRT technologies and hope their submission will be given significant consideration as a viable novel transportation system for the future. Should you have further questions, please feel free to contact my Davis district office at 530-753-5301.

Sincerely,

JOHN GARAMENDI
Member of Congress, CA-3

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#J-2.

ERIC SWALWELL
15TH DISTRICT, CALIFORNIA
ASSISTANT DEMOCRATIC WHIP
COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
• RANKING MEMBER—SUBCOMMITTEE ON ENERGY
• SUBCOMMITTEE ON OVERSIGHT
COMMITTEE ON HOMELAND SECURITY
• SUBCOMMITTEE ON TRANSPORTATION SECURITY

Congress of the United States
House of Representatives
Washington, DC 20515–0515

1260 B STREET, SUITE 150
HAYWARD, CA 94541
(510) 370-3322

5075 HOPYARD ROAD, SUITE 220
PLEASANTON, CA 94588
(925) 460-5100

501 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5065

http://swalwell.house.gov

March 17, 2014

Guang Zeng, Contract Specialist
Federal Highway Administration
Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Guang,

It is a pleasure to write to you regarding the response from CyberTran International (CTI) to the Federal Highway Administration's Request for Information seeking information on Novel Mobility Systems.

The work CTI is doing with the City of Richmond and the City of Davis is critical in the process to design and implement economical and sustainable mobility solutions that combine connectivity, productivity, and innovation in addressing our country's 21st Century transportation challenges.

The technology provides a passenger rail system that can allow the passenger to plan their destinations around their personal schedule. The proposed 20 passenger vehicle has the flexibility and comfort of current rail vehicles while making personalized service levels a reality. The raised track includes an electric third rail for vehicle power similar to many urban mass transit technologies, but the track is light enough that it can be incorporated into buildings and structures so that stations can serve passengers with the greatest amount of flexibility. The computer controlled and lightweight rail cars are powered by solar panels that line the track. Stations are aligned as off-track sidings to allow the system to continue to move cars through the systems while unloading and loading.

I believe this technology could vastly improve the efficiency and convenience of our nation's transportation system without many of the harsher effects on our environment and communities. I urge you to seriously consider providing federal support to more fully develop this potentially game changing technology.

Sincerely,

Eric Swalwell

Eric Swalwell
Member of Congress

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JERRY McNERNEY
9TH DISTRICT, CALIFORNIA

COMMITTEE ON
ENERGY AND COMMERCE

WASHINGTON OFFICE:
1210 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
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#J-2.

STOCKTON DISTRICT OFFICE:
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STOCKTON, CA 95207
(209) 476-8552

ANTIOCH DISTRICT OFFICE:
4703 LONE TREE WAY
ANTIOCH, CA 94531
(925) 754-0716

Congress of the United States
House of Representatives
Washington, DC 20515–0509

May 9, 2014

Guang Zeng, Contract Specialist
Federal Highway Administration
Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

RE: CyberTran International's Submission to the Federal Highway Administration's Request for Information on Novel Mobility Systems

Dear Mr. Zeng:

I write to you regarding CyberTran International's (CTI) submission to the Federal Highway Administration's (FHWA) Request for Information on novel surface transportation systems. I request your full and fair consideration of CyberTran's submission.

Our region has been identified by CTI as a strong candidate to pursue Phase I of their Ultra-Light Rail Transit Demonstration Project. If selected, Contra Costa County could pioneer a 20 passenger vehicle that makes customized service a reality, while maintaining traditional levels of flexibility and comfort.

If fully implemented, CTI would connect with existing transit and reduce local congestion, create jobs, provide residents with increased efficiency, and reduce greenhouse gas emissions by operating on renewable energy. Not only is this system expected to use 90 percent less energy, it will also create 98 percent fewer greenhouse gas emissions per passenger mile traveled than automobiles.

I encourage you to give CyberTran International's request for funding every consideration consistent with applicable rules and regulations. Thank you for your attention to this request. I look forward to working with you to address the needs of our country.

Sincerely,

Jerry McNerney
Member of Congress

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ATTACHMENT 1

RESOLUTION NO.____

RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA SUPPORTING A PARTNERSHIP BETWEEN THE CITY AND CYBERTRAN INTERNATIONAL, INC.

WHEREAS, the City of Richmond and CyberTran International, Inc. have partnered in support of an Ultra Light Rail Transit (ULRT) system to consistent to meet the City's policies and objectives of improving public transportation throughout the City and Bay Area region;

WHEREAS, the development of a ULRT system would improve the City's existing infrastructure and facilities needed for the movement of people and vehicles throughout the city;

WHEREAS, a ULRT system would improve the City's economic health and quality of life, and provide for the mobility of people and performance that affects concerns like air quality, environmental resource consumption, social equity, land use, urban growth, economic development, and safety;

WHEREAS, the proposed ULRT project would prove effective and efficient for operating, managing, maintaining, and financing the City of Richmond and Bay Area transportation system by advancing the area's GHG reduction goals;

WHEREAS, the City of Richmond and CyberTran International, Inc. have partnered to ensure the Richmond community transit needs are met and that the City of Richmond General Plan Land Use and Circulation policies, goals and implementation measures provide accessibility and mobility for Richmond residents through a ULRT system;

WHEREAS, a ULRT system would create manufacturing job opportunities and expand neighborhood transportation services and programs throughout the City and support regional transportation goals;

WHEREAS, CyberTran International Inc., is a company located in the United States that uses smart growth/transit-oriented development techniques.

WHEREAS, CyberTran's ultimate vision is to create a national and global sustainable transportation system throughout the region to resolve issues associated with fuel-burning technologies

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY OF RICHMOND AND CYBERTRAN INTERNATIONAL, INC. HAVE PARTNERED TO IMPLEMENT TRANSPORTATION MOBILITY GOALS FOR TRANSIT-DEPENDENT INDIVIDUALS.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond, California at a regular meeting held on July 26, 2011 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

_____
City Clerk
(SEAL)

Approved:

_____
Mayor

Approved as to form:

_____
City Attorney

AGENDA ITEM REQUEST FORM

Department: Mayor's Office **Department Head:** Tom Butt **Phone:** 620-6503

Meeting Date: **5/19/2015** **Final Decision Date Deadline:**_____

STATEMENT OF THE ISSUE:

INDICATE APPROPRIATE BODY

☒ **City Council** ☐ **Redevelopment Agency** ☐ **Housing Authority** ☐ **Surplus Property Authority** ☐ **Joint Powers Financing Authority**

☐ **Finance Standing Committee** ☐ **Public Safety Public Services Standing Committee** ☐ **Rules and Procedures Standing Committee** ☐ **Local Reuse Authority** ☐**Other**_____

ITEM _____

☐ **Presentation/Proclamation/Commendation (3-Minute Time Limit)**

☐ **Public Hearing** ☐ **Ordinance** ☒ **Other** ADJOURNMENT

☐ **Contract/Agreement** ☐ **Council As Whole**

☐ **Grant Application/Acceptance** ☐ **Claims Filed Against City of Richmond**

☐ **Resolution** ☐ **Video/PowerPoint Presentation** (contact KCRT @ 620.6759)

RECOMMENDED ACTION: ADJOURN the meeting in memory of George Schmidt - Mayor Tom Butt (620-6505).

REVIEWS/APPROVALS DO NOT WRITE IN THIS SPACE

This item has been reviewed and approved by the **FINANCE DIRECTOR, CITY ATTORNEY, and CITY MANAGER**.

AGENDA ITEM NO:

L-1.

May 19, 2015
Richmond City Council
Adjourned in memory of
WCWD Board Member & Richmond Resident

GEORGE SCHMIDT

1930 – 2015

Thomas K. Butt
Mayor, City of Richmond