



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**AGENDA**  
**Tuesday, April 3, 2018**

*Link to City Council Agendas/Packets*  
<http://sireweb.ci.richmond.ca.us/sirepub/meet.aspx>  
*Register to receive notification of new agendas, etc.*  
<http://www.ci.richmond.ca.us/list.aspx>

**Mayor**  
Thomas K. Butt

**Vice Mayor**  
Melvin Willis

**Councilmembers**

Jovanka Beckles  
Ben Choi  
Eduardo Martinez  
Jael Myrick  
Ada Recinos

**Housing Authority Tenant Commissioners**

Jaycine Scott  
Tanise Smith

---

The Richmond City Council also serves as Board Members and Commission Members for the following:

Housing Authority  
Joint Powers Financing Authority  
Surplus Property Authority  
Local Reuse Authority

**COMMUNICATION ACCESS INFORMATION:**

This meeting is being held in a wheelchair accessible location. To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact Bruce Soublet, ADA Coordinator, at (510) 620-6509 at least three business days before the meeting date.

## MEETING PROCEDURES

The City of Richmond encourages community participation at its City Council meetings and has established procedures that are intended to accommodate public input in a timely and time-sensitive way. As a courtesy to all members of the public who wish to participate in City Council meetings, please observe the following procedures:

**PUBLIC COMMENT ON AGENDA ITEMS:** Anyone who desires to address the City Council on items appearing on the agenda must complete and file a pink speaker's card with the City Clerk **prior** to the City Council's consideration of the item. Once the City Clerk has announced the item, no person shall be permitted to speak on the item other than those persons who have submitted their names to the City Clerk. Your name will be called when the item is announced for discussion. **Each speaker will be allowed up to TWO (2) MINUTES to address the City Council on NON-PUBLIC HEARING items listed on the agenda. Speakers are allowed up to THREE (3) minutes on PUBLIC HEARING items.**

**OPEN FORUM FOR PUBLIC COMMENT:** Individuals who would like to address the City Council on matters not listed on the agenda or on items remaining on the consent calendar may do so under Open Forum. All speakers must complete and file a pink speaker's card with the City Clerk **prior** to the commencement of Open Forum. The amount of time allotted to individual speakers shall be determined based on the number of persons requesting to speak during this item. **The time allocation for each speaker will be as follows:** 15 or fewer speakers, a maximum of 2 minutes; 16 to 24 speakers, a maximum of 1 and one-half minutes; and 25 or more speakers, a maximum of 1 minute.

**SPEAKERS ARE REQUESTED TO OCCUPY THE RESERVED SEATS IN THE FRONT ROW BEHIND THE SPEAKER'S PODIUM AS THEIR NAME IS ANNOUNCED BY THE CITY CLERK.**

**CONSENT CALENDAR:** Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the audience or the City Council. A member of the audience requesting to remove an item from the consent calendar must first complete a speaker's card and file the card with the City Clerk **prior** to the City Council's consideration of Agenda Review. Councilmembers who request to remove an item from the consent calendar must do so during Agenda Review. An item removed from the Consent Calendar may be placed anywhere on the agenda following the City Council's agenda review.

**CONDUCT AT MEETINGS:** Richmond City Council meetings are limited public forums during which the City strives to provide an open, safe atmosphere and promote robust public debate. Members of the public, however, must comply with state law, as well as the City's laws and procedures and may not actually disrupt the orderly conduct of these meetings. The public, for example, may not shout or use amplifying devices, must submit comment cards and speak during their allotted time, may not create a physical disturbance, may not speak on matters unrelated to issues within the jurisdiction of the City Council or the agenda item at hand, and may not cause immediate threats to public safety.

**CITY HARASSMENT POLICY:** The City invites public comment and critique about its operations, including comment about the performance of its public officials and employees, at the public meetings of the City Council and boards and commissions. However, discriminatory or harassing comments about or in the presence of City employees, even comments by third parties, may create a hostile work environment, if severe or pervasive. The City prohibits harassment against an applicant, employee, or contractor on the basis of race, religious creed, color, national origin, ancestry, physical disability, medical condition, mental disability, marital status, sex (including pregnancy, childbirth, and related medical conditions), sexual orientation, gender identity, age or veteran status, or any other characteristic protected by federal, state or local law. In order to acknowledge the public's right to comment on City operations at public meetings, which could include comments that violate the City's harassment policy if such comments do not cause an actual disruption under the Council Rules and Procedures, while taking reasonable steps to protect City employees from discrimination and harassment, City Boards and Commissions shall adhere to the following procedures. If any person makes a harassing remark at a public meeting that violates the above City policy prohibiting harassment, the presiding officer of the meeting may, at the conclusion of the speaker's remarks and allotted time: (a) remind the public that the City's Policy Regarding Harassment of its Employees is contained in the written posted agenda; and (b) state that comments in violation of City policy are not condoned by the City and will play no role in City decisions. If any person makes a harassing remark at a public meeting that violates the above City policy, any City employee in the room who is offended by remarks violating the City's policy is excused from attendance at the meeting. No City employee is compelled to remain in attendance where it appears likely that speakers will make further harassing comments. If an employee leaves a City meeting for this reason, the presiding officer may send a designee to notify any offended employee who has left the meeting when those comments are likely concluded so that the employee may return to the meeting. The presiding officer may remind an employee or any council or board or commission member that he or she may leave the meeting if a remark violating the City's harassment policy is made. These procedures supplement the Council Rules and Procedures relating to disruption of orderly conduct at Council meetings.

Any law enforcement officer on duty or whose service is commanded by the presiding officer shall be Sergeant-at-Arms of the Council meetings. He/she, or they, shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meetings (City Council Rules of Procedure and Order Section III F, RMC Section 2.12.030).

\*\*\*\*\*

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

6:00 p.m.

- A. **ROLL CALL**
- B. **PUBLIC COMMENT BEFORE CLOSED SESSION**
- C. **ADJOURN TO CLOSED SESSION**

**CLOSED SESSION**

Shimada Room of the Community Services Building

**CITY COUNCIL**

LIABILITY CLAIMS -(Government Code Section 54956.9):

Michael Deorian v. CoR

## REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

- A. **PLEDGE TO THE FLAG**
- B. **ROLL CALL**
- C. **STATEMENT OF CONFLICT OF INTEREST**
- D. **AGENDA REVIEW**
- E. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION**
- F. **REPORT FROM THE CITY MANAGER**
- G. **OPEN FORUM FOR PUBLIC COMMENT**
- H. **CITY COUNCIL CONSENT CALENDAR**
  - H-1. APPROVE a contract amendment with Downey Brand law firm in the amount of \$100,000 for the legal review of the requirements as predetermined in the existing Baykeeper Settlement Agreement and to represent the City in future settlement agreement discussions, for a total contract amount not to exceed \$305,000 - Water Resource Recovery Department (Ryan Smith 620-5486/Mary Phelps 621-1269).
  - H-2. RECEIVE a report on the Richmond Municipal Sewer District for the month of February 2018 – Water Resource Recovery Department (Ryan Smith 620-5486).
  - H-3. APPROPRIATE \$30,000 in housing in-lieu fees to fund the Council-approved legal services agreement with Goldfarb & Lipman, LLP to prepare amendments to the City's Inclusionary Housing Ordinance - Planning and Building Services Department (Richard Mitchell 620-6706).
  - H-4. AUTHORIZE the city manager to execute the Termination of Covenant Restricting Use and Condition Subsequent relating to the Waterline Subdivision submerged parcel (former Bottoms Property) - Planning and Building Services Department (Richard Mitchell 620-6706).

- H-5.** APPROVE a contract amendment with AMEC Foster Wheeler Environment and Infrastructure, Inc. to complete additional environmental work to modify the existing Clean-up Order on the Terminal One site, as required by the San Francisco Bay Regional Water Quality Control Board, increasing the contract by \$145,600 for an amount not to exceed \$505,550 through December 31, 2019, to be paid by clean-up funds as outlined in the settlement agreement with the previous industrial tenants that occupied the property - Planning and Building Services Department (Richard Mitchell 620-6706).
- H-6.** APPROVE a two-year contract, with the option of extending two additional years, with Willdan Financial Services to prepare the Full Cost and OMB Circular A-87 Compliant Cost Allocation Plans in an amount not to exceed \$30,355 - Finance Department (Belinda Warner 620-6740/Markisha Guillory 620-5434).
- H-7.** APPROVE an amendment to the contract with Maze and Associates to provide annual audit services to the City and its related entities for 2017-2018 and Fiscal Year 2018-19, for amounts not to exceed \$380,819 and \$391,644 respectively, for the two-year engagement, and with services to include staff training with a value of \$20,000 for each year - Finance Department (Belinda Warner 620-6740).
- H-8.** APPROVE an amendment to the three-year contract, with the option of two one-year renewal options, for as-needed sidewalk grinding services with Precision Concrete Cutting, increasing the contract amount by \$300,000 to a total not to exceed \$600,000 for the contract term ending June 30, 2020 - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).
- H-9.** APPROVE an amendment to the three-year contract, with the option of two one-year renewal options, with O.C. Jones & Sons, Inc. for the rental of street paving equipment as needed to supplement City crews on larger paving projects, increasing the amount by \$450,000 to a total amount not to exceed \$750,000 during the contract term ending September 30, 2020 - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).
- H-10.** APPROVE a Third Amendment to the Employment Agreement between the City of Richmond and Bruce Reed Goodmiller to extend the term of the agreement to December 31, 2020 and provide for salary increases of 2.5% in the 2018 and 2019 calendar years - City Manager's Office (Bill Lindsay 620-6512).
- H-11.** APPROVE the minutes of the March 20, 2018, regular Richmond City Council meeting - City Clerk's Office (Pamela Christian 620-6513).

**I. COUNCIL AS A WHOLE**

**I-1.** INTRODUCE an ordinance (first reading) to amend Ordinance 29-90 and adopting certain policies regarding the request for information, assistance or cooperation by the Immigration and Naturalization Service of the United States Immigration and Customs Enforcement - City Council Office (Councilmember Ada Recinos 620-5431).

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

**K. ADJOURNMENT**

\*\*\*\*\*

*This agenda may be previewed on KCRT – Channel 28, Richmond Television, City website [www.ci.richmond.ca.us](http://www.ci.richmond.ca.us). Any documents produced by the City and distributed to a majority of the City Council regarding any item on this agenda will be made available at the Main Counter at City Hall located at 450 Civic Center Plaza.*