



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, February 4, 2020

Link to City Council Agendas/Packets
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Mayor
Thomas Butt

Vice Mayor
Nathaniel Bates

Councilmembers

Ben Choi
Demnlus Johnson III
Eduardo Martinez
Jael Myrick
Melvin Willis

Housing Authority Tenant Commissioners

Jaycine Scott
Vacant

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

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

COMMUNICATION ACCESS INFORMATION:

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

MEETING PROCEDURES

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

PUBLIC COMMENT ON AGENDA ITEMS: Anyone who desires to address the City Council on items appearing on the agenda must complete and file a pink speaker's card with the City Clerk **prior** to the City Council's consideration of the item. Once the City Clerk has announced the item, no person shall be permitted to speak on the item other than those persons who have submitted their names to the City Clerk. Your name will be called when the item is announced for discussion.

Each speaker will be allowed up to TWO (2) MINUTES to address the City Council on NON-PUBLIC HEARING items listed on the agenda. Speakers are allowed up to THREE (3) minutes on PUBLIC HEARING items.

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

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

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

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

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

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

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

5:00 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):

Lance Bell v. City of Richmond

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: Pt Molate
Agency negotiators: Laura Snideman
Negotiating parties: Winehaven Legacy LLC (SunCal)
Under negotiations: price and terms of payment

Property: Nevin Plaza – 2400 Nevin Avenue
Agency negotiators: Shasa Curl and Nannette Beacham
Negotiating parties: EAH Housing and Eden Housing
Under negotiations: Price and Terms of Payment

Property: Richmond Village - 700 S 26th St
Agency negotiators: Shasa Curl and Nannette Beacham
Negotiating parties: McCormack Baron Salazar
Under negotiations: Price and Terms of Payment

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to paragraph (2) or (3) of Subdivision
(d) [as applicable] of Government Code Section 54956.9):

One case

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957): City Attorney

REGULAR 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. REPORT FROM THE EXECUTIVE DIRECTOR

E. OPEN FORUM FOR PUBLIC COMMENT

F. AGENDA REVIEW

G. HOUSING AUTHORITY CONSENT CALENDAR

G-1. ADOPT a resolution approving standing purchase orders with W.W. Grainger, Inc. in an amount not to exceed \$20,000 and with HD Supply in an amount not to exceed \$20,000 for maintenance, repairs, and unit turnover activities for an initial one year period, with a one year optional extension - Richmond Housing Authority (Nannette Beacham/Mario Vaz 621-1300).

G-2. APPROVE the minutes of the special October 22 and December 17, 2019, Richmond Housing Authority Meetings - City Clerk's Office (Pamela Christian 620-6513).

H. 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. **REPORT FROM THE CITY MANAGER**
- F. **OPEN FORUM FOR PUBLIC COMMENT**
- G. **CITY COUNCIL CONSENT CALENDAR**
 - G-1. RECEIVE the City's Investment and Cash Balance Report for the month of December 2019 – Finance Department (Belinda Brown 620-6740).
 - G-2. APPROVE appointments to the Design Review Board: APPOINT Brian Carter, new appointment, seat #7, term expiration date March 17, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).
 - G-3. APPROVE appointments to the Urban Forest Advisory Committee: APPOINT Laurie Isenberg, appointment, seat #3, term expiration date November 17, 2023 - Office of the Mayor (Mayor Tom Butt 620-6503).
 - G-4. APPROVE appointments to update the Public Art Advisory Committee: APPOINT Deborah Dyer, new appointment, seat #4, term expiration date November 3, 2022, Emily Leighton, new appointment, seat #5, term expiration date November 3, 2022, Tom Herriman, re-appointment, seat #6, filing an unexpired term with an expiration date of February 20, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
 - G-5. APPROVE actions to update the Youth Council: APPOINT Kashaf Iqbal, re-appointment, seat #2, term expiration date October 1, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
 - G-6. APPROVE appointments to the Richmond-Zhoushan Sister City Commission; APPOINT Eric Peterson, re-appointment, seat #2, term expiration date December 31, 2022, Stanley Li, re-appointment, seat #3, term expiration date December 31, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).

- G-7.** APPROVE an appointment to update the Housing Advisory Commission: APPOINT Y'Anad Burrell, new appointment, seat #1, term expiration date November 1, 2022, Jaycine Scott, re-appointment, seat #6, term expiration date November 1, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-8.** ADOPT a resolution to ACCEPT and APPROPRIATE a \$2,000,000 contribution from Chevron for the Cogeneration Project at the City's Wastewater Treatment Plant as part of Chevron's Modernization Project and mitigation measures in the approved Environmental Impact Report and conditions of approval in the Conditional Use Permit to reduce local greenhouse gas emissions - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300). **This item was continued from the January 21, 2020, meeting.**
- G-9.** APPROVE the purchase of one (1) Vermeer Stump Grinder SC802 from RDO Equipment Company in an amount not to exceed \$62,000 - Department of Infrastructure Maintenance and Operations (Yader Bermudez 774-6300).
- G-10.** ADOPT an ordinance (second reading): (1) adding Article 15.04.615 to the Richmond Municipal Code ("RMC") to prohibit new land uses and phase out existing land uses related to the storage and handling of coal and petroleum coke, and (2) making conforming amendments to the Richmond Municipal Code ("RMC") to ensure that it is internally consistent - Planning and Building Services Department (Lina Velasco 620-6706). **This item was continued from the January 21, 2020, meeting.**
- G-11.** APPROVE a resolution: 1) authorizing the application for grant funds from the California Department of Housing and Community Development's (HCD) CalHome Program in an amount not-to-exceed \$5,000,000 to provide rehabilitation loans to low income households; and 2) authorizing the City Manager or their designee to execute related documents to accept the grant and expend grant funds as approved by HCD - Community Development (Lina Velasco 620-6706).
- G-12.** ADOPT a resolution nominating Hilltop area to the Association of Bay Area Governments and Metropolitan Transportation Commission for designation as a Priority Development Area, an area in the Region identified to support employment and housing growth near transit. - Planning and Building Services Department (Lina Velasco 620-6706).
- G-13.** APPROVE the minutes of the January 14 and 21, 2020, Regular City Council meetings - City Clerk's Office (Pamela Christian 620-6513).

H. BUDGET SESSION

H-1. REVIEW the Fiscal Year 2019-20 operating and capital improvement budgets at mid-year, and ADOPT a resolution approving the proposed Fiscal Year 2019-20 budget adjustments - Finance Department (Belinda Brown 620-6740/Markisha Guillory 620-5434).

I. PUBLIC HEARINGS

I-1. HOLD a public hearing relating to the proposed issuance of charter school revenue bonds by the California Public Finance Authority ("CalPFA"), in an amount not to exceed \$64,000,000, in connection with the issuance of charter school revenue bonds for Wonderful Foundations. The proceeds of the bonds will enable the Borrower to finance the acquisition of public charter school facilities located at 1402 and 1450 Marina Way South in the City of Richmond (the "Project"); and ADOPT a resolution to approve the proposed financing by the CalPFA - Finance Department (Belinda Brown 620-6740). **This item was continued from the January 21, 2020, meeting.**

J. RESOLUTIONS

J-1. ADOPT a resolution accepting the Sewer Rate Study Report and DIRECT Staff to proceed with the initiation of a 45-Day Notice for a Public Hearing for April 7, 2020, to consider the adoption of a multi-year sewer service rate structure - Water Resource Recovery Department (Yader Bermudez 774-6300/Mary Phelps 621-1269).

K. COUNCIL AS A WHOLE

K-1. DIRECT the city manager to provide the city council with a list of all employees receiving differential pay authorized by former city managers that were not approved by the City Council - Vice Mayor Nathaniel Bates (620-6743) and Councilmember Eduardo Martinez (620-6593).

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

M. ADJOURNMENT

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