



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

## AGENDA

**Tuesday, February 18, 2020**

*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 Butt

**Vice Mayor**  
Nathaniel Bates

### **Councilmembers**

Ben Choi  
Demnlus Johnson III  
Eduardo Martinez  
Jael Myrick  
Melvin Willis

### **Housing Authority Tenant Commissioners**

Jaycine Scott  
Vacant

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

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

### **COMMUNICATION ACCESS INFORMATION:**

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

## MEETING PROCEDURES

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

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

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

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

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

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

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

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

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

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

5:30 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):

Rebekah Ireland-Clark vs. City of Richmond

Alyson Straub vs. City of Richmond

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: City Attorney

## 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 with L.N. Curtis & Sons to provide annual maintenance and repair services for rescue and extrication equipment, for a total amount not to exceed \$24,500 through January 31, 2023 - Fire Department (Chief Adrian Sheppard 307-8041).
  - H-2. ACCEPT and APPROPRIATE the Department of Justice Grant amount of \$100,000 for the Law Enforcement Mental Health and Wellness Act Program, and award the contract to Cordico in an amount not to exceed \$88,000 as directed in the Office of Community Oriented Policing Services (COPS Office) award letter - Police Department (Interim Chief Bisa French 621-1802).
  - H-3. ADOPT a resolution approving a Richmond Municipal Sewer District collection system sanitary sewer pipelines replacement/rehabilitation contract for Veolia Water to manage (on behalf of the City) a subcontract with WR Forde and Associates in an amount not to exceed \$3,429,045 [Project cost of \$2,581,140, plus 16.5% mark-up of \$425,888, plus 15% contingency of \$422,017)] - Water Resource Recover Department (Yader Bermudez 774-6300).
  - H-4. APPROVE a contract with First Serve Productions, Inc. in an amount not to exceed \$38,888.00 for the resurfacing of the tennis courts located at Marina Bay. The contract term will be from February 19, 2020 to June 30, 2020 - Public Works Department (Yader Bermudez 774-6300).

- H-5.** ADOPT a resolution ordering the preparation of the Engineer's Report for Fiscal Year 2020-2021 regarding improvements and costs for the Marina Bay Landscape and Lighting Maintenance District - Public Works Department (Yader Bermudez 774-6300).
- H-6.** ADOPT a resolution ordering the preparation of the Engineer's Report for Fiscal Year 2020-2021 regarding improvements and costs for the Hilltop Landscape Maintenance District - Public Works Department (Yader Bermudez 774-6300).
- H-7.** APPROPRIATE \$60,000 in cost recovery funds received for the City's Health and Safety Receivership Program, and APPROVE a contract amendment no. 2, with Silver and Wright LLP, increasing the contract amount by \$40,000 for a total not to exceed amount of \$100,000 through June 30, 2023, for legal services related to code enforcement and the City's Health and Safety Receivership Program - Community Development Department (Lina Velasco 620-6706).
- H-8.** APPROVE the second amendment to the legal services agreement with Downey Brand LLP to represent the City as California Environmental Quality Act (CEQA) counsel for the Point Molate project, to increase the payment limit by \$350,000 with a total payment limit of \$600,000 to be paid with funds deposited by the master developer - City Attorney's Office/Planning and Building Services Department (Bruce Reed Goodmiller 620-6509/Lina Velasco 620-6706).
- H-9.** AUTHORIZE the city manager to make a payment to Scott Rafferty in the amount of \$31,960.83 to satisfy his fee claim pursuant to Election Code section 10010(f)(1) - City Attorney's Office/City Clerk's Office (Bruce Reed Goodmiller 620-6509/Pamela Christian 620-6513).
- H-10.** APPROVE the minutes of the January 28, 2020, Regular City Council meeting - City Clerk's Office (Pamela Christian 620-6513).
- H-11.** APPROVE the Memorandum of Understanding between the City of Richmond and Community Housing Development Corporation (CHDC) to support the transfer of the Richmond Revolving Loan Fund grant program that supports small businesses from the City to CHDC - City Manager's Office (Laura Snideman/Janet Johnson 620-6512).
- H-12.** RECEIVE the monthly report on Point Molate activities for the month of December 2019 - City Manager's Office (Shasa Curl/Craig Murray 620-6512)
- H-13.** AUTHORIZE the city manager to enter into a License Option Agreement with GRID Alternatives that establishes a due diligence period of one-year wherein the City, GRID Alternatives, and Auto Warehousing Corporation (AWC) will negotiate a License Agreement for the solar facility at the Port of Richmond - City Manager's Office, Economic Development/Richmond Port Operations (Samantha Carr/Jim Matzorkis 620-6512).

**H-14.** ADOPT a resolution: (1) adopting the Richmond Resilience Roadmap; (2) authorizing the city manager or designee to apply for and accept a Transformative Climate Communities Implementation grant and to execute all related documents to implement projects identified in the Richmond Resilience Roadmap; and (3) authorizing the city manager or their designee to execute Memorandum of Understanding Agreements as approved to form by the city attorney with project partners as necessary to facilitate the grant application and verify the parties' commitments toward project implementation - City Manager's Office, Economic Development/Community Development Department (Shasa Curl/Lina Velasco 620-6512).

**H-15.** APPROVE a four-month extension to the date upon which Richmond Grown is required to provide construction deliverables, including approved final plans and specifications, a cost statement, approved construction contract, and a clear and demonstrated financing plan for the rehabilitation of the Historic General Warehouse (the "Construction Deliverables"), under Section 2.1 of the Construction Agreement with Richmond Grown. The new date for submission of the Construction Deliverables will be deferred to May 25, 2020 - Port Department (Jim Matzorkis 215-4600).

**I. BUDGET SESSION**

**I-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). **This item was continued from the February 4, 2020, meeting.**

**J. PUBLIC HEARINGS**

**J-1.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code (RMC) Article VI, Building Regulations by repealing and replacing Chapter 6.02, adopting the 2019 California Building Standards Code with noted Administrative and Energy Code amendments, and repealing Chapters 6.04, 6.16, 6.20, 6.28, which are superseded by the 2019 codes and incorporated into RMC Chapter 6.02, and repealing Chapter 6.46, which has been superseded by the California Green Building Standards Code incorporated into Chapter 6.02 - Community Development (Lina Velasco 620-6706).

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

**L. ADJOURNMENT**

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