



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, June 17, 2014

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Mayor
Gayle McLaughlin

Vice Mayor
Jovanka Beckles

Councilmembers

Nathaniel Bates
Thomas K. Butt
Courtland “Corky” Boozé
Jael Myrick
Jim Rogers

Housing Authority Tenant Commissioners

Helen Hall
Jackie Thompson

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 Soulet, 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 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.

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
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. LIABILITY CLAIMS - (Government Code Section 54956.9):

Gregory Franklin vs. City of Richmond

Anthony Berhel vs. City of Richmond

Milton Johnson vs. City of Richmond

**SPECIAL MEETING OF
THE RICHMOND HOUSING AUTHORITY**

6:15 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 authorizing the Richmond Housing Authority Executive Director to execute a two-year contract, with three one-year options to extend, with Overland, Pacific & Cutler Inc. (OPC) to provide relocation consulting services in an amount not to exceed \$575,605, in connection with the Authority's Rental Assistance Demonstration Program ("RAD") Projects (Due to the urgent need for these services, this contract was not reviewed by the Finance Committee) - Richmond Housing Authority (Tim Jones 621-1310).
- F-2.** ADOPT a resolution authorizing the Richmond Housing Authority Executive Director to execute a contract with Autotemp for relocation consulting services for the Hacienda Public Housing development, for a term of one-year and with an option to extend for an additional year, in an amount not to exceed \$382,695 (Due to the urgent need for these services, this contract was not reviewed by the Finance Committee) - Housing Authority (Tim Jones 621-1310).
- F-3.** ADOPT a resolution approving the Housing Authority's Fiscal Year 2014-2015 Operating Budget in the amount of \$27,080,599 proposed revenues, with total proposed expenditures of \$26,594,499 - Housing Authority (Tim Jones 621-1310).
- F-4.** ADOPT a resolution authorizing the Housing Authority to revise the Section 8 and Public Housing Program Utility Allowances to reflect the new rates for Fiscal Year 2014-2015 - Housing Authority (Tim Jones 621-1310).
- F-5.** APPROVE the minutes of the May 20, 2014, Richmond Housing Authority Meeting - City Clerk's Office (Diane Holmes 620-6513).

F-6. RECEIVE reports of Commissioners, City Council liaison, staff written reports on the status of Housing Authority business matters, and resident concerns, and reports from housing tenants - Housing Authority (Tim Jones 621-1310).

G. **ADJOURNMENT**

**SPECIAL JOINT MEETING OF THE RICHMOND CITY
COUNCIL AND THE JOINT
POWERS FINANCING AUTHORITY**

6:25 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. CONSENT CALENDAR

C-1. ADOPT: (1) a resolution of the City of Richmond approving the sale of an option to enter into an interest-rate-swap agreement by the Richmond Joint Powers Financing Authority in connection with the Richmond Joint Powers Financing Authority Lease Revenue Refunding Bonds (Civic Center Project), Series 2009; authorizing the forms of and directing the execution and delivery of an amended confirmation and a second amendment to indenture; and approving the taking of all necessary actions in connection therewith, and (2) a resolution of the Richmond Joint Powers Financing Authority approving the sale of an option to enter into an interest-rate-swap agreement in connection with the Richmond Joint Powers Financing Authority Lease Revenue Refunding Bonds (Civic Center Project), Series 2009; authorizing the forms of and directing the execution and delivery of an amended confirmation and a second amendment to indenture; and approving the taking of all necessary actions in connection therewith - Finance Department (James Goins 620-6740).

D. 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. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

D-1. PRESENTATION of the Friends of the Richmond Public Library and Richmond Public Library Teen Services S.A.T. Scholarships - Mayor McLaughlin (620-6503).

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

F. OPEN FORUM FOR PUBLIC COMMENT

G. CITY COUNCIL CONSENT CALENDAR

G-1. APPROVE a grant-funded contract amendment with Mack5 for project management services associated with the Elm Playlot Project, increasing the contract amount by \$12,000 to a total contract amount of \$146,250, and extending the term through December 30, 2014 - Public Works Department (Yader A. Bermudez 231-3008).

G-2. APPROVE a contract with Performance Abatement Services, Inc. to provide hazardous material abatement services for development of the Family Justice Center Project at 256 24th Street in an amount not to exceed \$24,240 and for a term from June to December 2014, with funding from the proceeds of a previously approved \$2,000,000 bond - Police Department (Chief Chris Magnus 621-1802).

G-3. APPROVE an amendment to the grant-funded contract with Turner Group Construction for construction and construction related services pertaining to the renovation of Elm Play Lot and community building, increasing the amount by \$32,000 for a total amount not to exceed \$1,422,436 (term of the contract is May 21, 2013, to December 31, 2014) - Public Works Department (Yader A. Bermudez 231-3008).

- G-4.** ADOPT three separate resolutions acknowledging and accepting completion of the following grant-funded projects by the Port of Richmond: (1) Shipyard No. 3 Bay Trail Improvements; (2) High-Mast Security Lighting; and (3) Security and First Responders Municipal Fiber Optic Network - Port Department (Jim Matzorkis 215-4600).
- G-5.** APPROVE a second amendment to the grant-funded construction agreement with MP Nexlevel of California, Inc. in the amount of \$87,100 to provide an additional patch panel with connections and associated field work supporting completion of the First Responders Municipal Fiber Optic Network Project. The contract amount will increase to \$4,030,358.54, which is less than the total grant funding received for the project - Port Department (Jim Matzorkis 215-4600).
- G-6.** ADOPT a resolution authorizing the application for grant funds from the California Department of Housing and Community Development's (HCD) CalHome Program to provide rehabilitation loans to low income households in an amount not to exceed \$1,000,000, and authorizing the execution of related documents to accept the grant and expend grant funds as approved by HCD - Housing and Community Development (Patrick Lynch 307-8141).
- G-7.** RECEIVE a monthly report on the Richmond Municipal Sewer District for May 2014 - Engineering Services Department (Chad Davisson 620-5486).
- G-8.** APPROVE the Richmond Public Library's participation in Pacific Library Partnership and AUTHORIZE payment of annual membership fees in an amount not to exceed \$17,000 per year for a three-year period covering fiscal years 2013-14, 2014-15, and 2015-16 with the option of two one-year extensions - Library and Cultural Services Department (Katy Curl 620-6554).
- G-9.** APPROVE a one-year contract extension to participate in the State of California rental vehicle program for the purpose of securing undercover police vehicles with Enterprise Holdings Incorporated in an amount not to exceed \$173,000 from July 1, 2014, to June 30, 2015 (This item was reviewed and recommended for approval by the Finance Committee at its June 6, 2014, meeting) - Police Department (Chief Chris Magnus 621-1802).
- G-10.** APPROVE an amended contract with CPS HR Consulting to develop and administer employment examinations for Firefighters, increasing the contract amount by \$85,200 for a total amount not to exceed \$164,700, and for a term ending on December 31, 2016 (This item was reviewed and recommended for approval by the Finance Committee at its June 6, 2014, meeting) - Human Resource Management (Lisa Stephenson/Donna Newton 620-6600).

- G-11.** APPROVE a contract amendment with Paramount Elevator for service and repairs of all City owned elevators, increasing the contract amount by \$36,000 for a total of \$131,000, with a term extending through June 30, 2015 (This item was reviewed and recommended for approval by the Finance Committee at its June 6, 2014, meeting) - Public Works Department (Yader A. Bermudez 231-3008).
- G-12.** APPROVE an amendment to the existing construction agreement with Turner Group Construction in the amount of \$199,600, for a total amended amount not to exceed \$623,815, using federal Neighborhood Stabilization Program III (NSP3) funds, to complete renovations at a 70-year old four-plex located at 411-423 South 23rd Street for building code compliance (This item was reviewed and recommended for approval by the Finance Committee at its June 6, 2014, meeting) - Housing and Community Development (Patrick Lynch 307-8140).
- G-13.** APPROVE an amendment to the existing construction agreement with Turner Group Construction in the amount of \$51,318.51, for a total amount not to exceed \$138,113.51, using Neighborhood Stabilization Program revenue funds, to complete renovations at the property located at 127 South 27th Street for building code compliance (This item was reviewed and recommended for approval by the Finance Committee at its June 6, 2014, meeting) - Housing and Community Development (Patrick Lynch 307-8140).
- G-14.** APPROVE a three-year (Fiscal Years 2014/15 - Fiscal Year 2016/17) contract with George Hills Company, Inc. to provide third-party administration of general liability claims received by the City, in an amount not to exceed \$426,720 (This item was reviewed and recommended for approval by the Finance Committee at its June 6, 2014, meeting) - Human Resources Management Department (Lisa Stephenson 620-6600).
- G-15.** APPROVE a three-year contract with Du-All Safety, LLC to provide safety program compliance services, in an amount not to exceed \$442,675, beginning in Fiscal Year 2014-2015 through Fiscal Year 2016-2017 (This item was reviewed and recommended for approval by the Finance Committee at its June 6, 2014, meeting) - Human Resources Management Department (Lisa Stephenson 620-6600).
- G-16.** APPROVE a contract with W.R. Forde Associates for the rehabilitation of the sports field at the Shields-Reid Park located at 1410 Kelsey Street in an amount not to exceed \$1,677,366 (This item was reviewed and recommended for approval by the Finance Committee at its June 6, 2014, meeting) - Public Works Department (Yader A. Bermudez 231-3008).

- G-17.** APPROVE a contract with MuniServices to assist the City in capturing its full share of sales tax revenue allocated by the State Board of Equalization, in an amount not to exceed \$600,000, with contract services compensated on a contingency basis based on the amount of new revenue to the City of Richmond generated by these contract services (This item was reviewed and recommended for approval by the Finance Committee at its June 6, 2014, meeting) - Finance Department (James Goins 620-6740).
- G-18.** APPROVE a contract amendment with Lincoln Aquatics to supply pool chemicals to the Richmond Swim Center and Richmond Municipal Natatorium, on an as-needed basis, increasing the contract amount by \$95,000 for a total contract amount of \$455,000, with a term extending through June 30, 2015 - Public Works Department (Yader A. Bermudez 231-3008).
- G-19.** APPROVE the minutes of the April 22, 2014, City Council Special Meeting, and the May 6, 2014, City Council Regular Meeting - City Clerk's Office (Diane Holmes 620-6513).
- G-20.** APPROVE the following appointment and re-appointment: Arts & Culture Commission: Brenda Williams, incumbent, term expiring January 31, 2018; Housing Advisory Commission: Jaycine Scott, new appointment, term expiring November 1, 2015 - Mayor McLaughlin (620-6503).
- G-21.** ADOPT an ordinance (second reading) to establish a local minimum wage ordinance in the City of Richmond - Mayor McLaughlin (620-6503), Vice Mayor Beckles (620-6568), and Councilmember Myrick (620-6636).
- G-22.** ADOPT a Resolution Calling and Giving Notice of the holding of a Municipal Election to be held on Tuesday, November 4, 2014, for the election of certain officers as required by the provisions of the Charter of the City of Richmond; requesting the Board of Supervisors of Contra Costa County to consolidate the Municipal Election with the Statewide General Election; adopt regulations for candidates pertaining to the candidates' statements submitted to the voters, cost of the candidates' statements and other fees, word limit for candidate's statement; and action to be taken for a tie vote - City Clerk's Office (Diane Holmes 620-6514).
- G-23.** ADOPT a Resolution Calling and Providing for a Special Municipal Election to be held on November 4, 2014, for the purpose of submitting to the voters a measure to adopt a one-half cent Transactions and Use (Sales) Tax, and approving an ordinance authorizing the general tax to be submitted to the voters - Finance Department/City Attorney's Office (James Goins 620-6740/Bruce Reed Goodmiller 620-6509).

H. ITEMS CONTINUED FROM PREVIOUS MEETINGS - NOT EARLIER THAN 7:00 P.M.

Continued Public Hearings

- H-2.** ADOPT a resolution establishing annual assessments for the Hilltop Landscape Maintenance District for the 2014-2015 Fiscal Year, including a proposed 2.45% increase in the assessments based on the annual change in the Consumer Price Index - Public Works Department (Yader A. Bermudez 231-3008). **This item was continued from the June 3, 2014, meeting.**

Continued Ordinances

- H-3.** INTRODUCE an ordinance (first reading) adopting changes to the Industrial Safety Ordinance to increase safety at the Chevron Refinery by increasing the number of inspectors, requiring risks be reduced to ALARP (As Low As Reasonably Practicable) and requiring other safety measures - Councilmembers Rogers (867-5725), Butt (236-7435) and Myrick (620-6636). **This item was continued from the June 3, 2014, meeting.**

Continued Council as a Whole

- H-4.** DISCUSS and consider directing staff to prepare draft amendments to the Industrial Safety Ordinance to require that any increases in emissions due to increases in potentially more problematic feedstocks in Richmond refineries would need to be mitigated 100% by decreases elsewhere in the refinery operations so that there is no net increase in any dangerous emissions - Councilmember Rogers (867-5725). **This item was continued from the April 22, 2014, May 6, 13, and 20, 2014, and June 3, 2014, meetings.**
- H-5.** DISCUSS and direct staff to provide a report on which entity of the project design team is responsible to ensure ADA compliance associated with the Richmond Civic Center Project - Councilmember Myrick (620-6636). **This item was continued from the June 3, 2014.**
- H-6.** CONSIDER AND APPROVE suspending matching funds for candidates at the November 4, 2014, election. All departments have taken a mandatory 17% reduction in their budgets to assist in closing the City's deficit, and Council approval of suspending matching funds for the November 2014 election will assist in closing the current deficit - Councilmember Bates (620-6743). **This item was continued from the June 3, 2014, meeting.**

I. RESOLUTIONS - NOT EARLIER THAN 8:30 P.M.

- I-1.** ADOPT a resolution in support of interpreting and implementing State of California Policy as enacted in "The Solar Rights Act" - Councilmembers Butt (236-7435), Myrick (620-6636), and Rogers (867-5725).

I-2. ADOPT a resolution in support of increasing Electric Vehicle usage and direct staff to seek grant funding to implement the Electri-City pilot project which would provide added convenience, reduction of range limitations and reduction of cost in order to significantly increase Electric Vehicle usage in Richmond - Councilmembers Rogers, Butt, and Myrick (620-6861).

J. ORDINANCES - NOT EARLIER THAN 8:45 P.M.

J-1. ADOPT an ordinance (second reading) of the Richmond City Council amending Chapter 3.20, Section 3.20.080 of the Richmond Municipal Code, Powers and Duties of the Planning Commission, to establish new procedures for matters previously considered and decided by the City Council; and ADOPT a resolution regarding transition procedures for the Chevron Modernization Project - Councilmember Butt (236-7435), Councilmember Bates (620-6743, and Councilmember Myrick (620-6636).

K. COUNCIL AS A WHOLE - NOT EARLIER THAN 9:00 P.M.

K-1. DIRECT the city manager to work with the city attorney and the police chief to draft a resolution to establish rules and procedures regarding disruptions during the City Council meetings - Vice Mayor Beckles (620-6568).

L. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, 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.