



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, September 16, 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 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 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**

5:00 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

Title: City Attorney
 - A-2. LIABILITY CLAIMS - (Government Code Section 54956.9):

Arlevia Livingston vs. City of Richmond

Arturo Serrano vs. City of Richmond
 - A-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):

Baykeeper 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. 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. PUBLIC HEARING

G-1. CONDUCT a Public Hearing and adopt a resolution authorizing submission of the U.S. Department of Housing and Urban Development 2014 One-Year and Five-Year Agency Plan - Richmond Housing Authority (Tim Jones 621-1310).

H. HOUSING AUTHORITY AS A WHOLE

H-1. RECEIVE a report from staff regarding the membership, rules and procedures of the Housing AdHoc Committee - Councilmember Boozé (620-6593).

I. ADJOURNMENT

**MEETING OF THE SUCCESSOR AGENCY TO THE RICHMOND
COMMUNITY REDEVELOPMENT AGENCY AND
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. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

E-1. PROCLAMATION recognizing September as National Attendance Awareness Month - Mayor McLaughlin (620-6503) and Vice Mayor Beckles (620-6568).

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

G. OPEN FORUM FOR PUBLIC COMMENT

H. SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR

H-1. (1) ADOPT a resolution approving amendments to contracts related to the Miraflores Housing Development project with: Eagle Environmental Construction (EEC) for abatement, demolition, and historic structures relocation and increasing the total contract payment amount by \$286,755.23 to a total amount of \$4,800,000; PES Environmental, Inc. acting as the Successor Agency's owner's representative providing project oversight and monitoring and increasing the total contract payment amount by \$500,000 to a total amount of \$1,900,000; and Holland & Knight, LLP., to continue to provide environmental and programmatic legal services and increasing the contract payment amount by \$120,000 for a total contract amount of \$320,000. The amendments will also extend all contracts to June 30, 2018; and (2) ADOPT a resolution approving and authorizing amendment of the 2013-2015 Biennial Budget for Miraflores cleanup costs to increase expenditures by \$620,000 to be funded by housing bond proceeds - Housing and Community Development (Patrick Lynch 307-8140).

- H-2.** ADOPT a resolution approving the Successor Agency to the Richmond Community Redevelopment Agency's Recognized Obligation Payment Schedule for the period January 2015 to June 2015 (ROPS 14-15b) pursuant to AB 1X26 and AB 1484 - Successor Agency to the Richmond Community Redevelopment Agency (Patrick Lynch 307-8140).

I. CITY COUNCIL CONSENT CALENDAR

- I-1.** APPROVE a legal services agreement with Renne Sloan Holtzman & Sakai, LLP for as-needed legal advice regarding general municipal law matters and elections law assistance, in an amount not to exceed \$30,000, with a term expiration of June 30, 2015 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- I-2.** APPROVE a legal services agreement with Colantuono & Levin, P.C. for as-needed legal advice regarding municipal law matters including taxation issues, in an amount not to exceed \$30,000, with a term expiration of June 30, 2015 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- I-3.** AUTHORIZE the Library and Cultural Services Director to ACCEPT a grant in the amount of \$15,000 from the California Library and Literacy Services (CLLS) and prepare and sign the Claim Form attached to the award of grant; and APPROVE an amendment to the Fiscal Year 2014-15 operating budget to increase library fund revenue and expenditures in the amount of \$15,000 for the purpose of providing literacy services to City of Richmond residents - Library and Cultural Services Department (Katy Curl 620-6554/Sherry Drobner 307-8082).
- I-4.** APPROVE a Memorandum of Understanding (MOU) between Rubicon Programs, Inc. and LEAP-Richmond Public Library for LEAP to provide services for basic literacy and GED preparation, and to receive payment from Rubicon in the amount of \$32,030 for providing these services for the period of July 1, 2014, through June 30, 2015; and APPROVE an amendment to the Fiscal Year 2014-2015 operating budget increasing library fund revenue and expenditures in the amount of \$32,030 - Library and Cultural Services Department (Katy Curl 620-6554/Sherry Drobner 307-8082).
- I-5.** APPROVE the grant-funded purchase of boat crew dry suits and inflatable life vests for fire personnel in the Marine Response Program from L.N. Curtis & Sons, in the amount of \$16,236.74 - Fire Department (Chief Michael Banks 307-8041).
- I-6.** APPROVE a grant-funded contract with the Oakland Private Industry Council to procure goods and services on behalf of RichmondWORKS and in support of East Bay Works One Stop Career Center System for Fiscal Year 2014-2015, in an amount not to exceed \$22,286 and for a term from September 16, 2014, through September 30, 2015 - Employment and Training Department (Sal Vaca/Rosemary Viramontes 307-8008)

- I-7.** APPROVE a contract with Straight Talk on Prison, Inc. (STOP) to provide oversight and coordination for the YouthWORKS Academic Program in an amount not to exceed \$51,930, and for a term from September 16, 2014, through June 30, 2015 - Employment and Training Department (Sal Vaca/Jay Leonhardy 307-8019).
- I-8.** APPROVE the renewal of a grant-funded contract with the Oakland Private Industry Council to be the Contracting/Vendor Pay Agent for Individual Training Accounts and On-the-Job Training activities for Workforce Investment Act (WIA) Program participants in an amount not to exceed \$68,286, and for a term from September 16, 2014, through September 30, 2015 - Employment and Training Department (Sal Vaca 307-8006).
- I-9.** APPROVE the minutes of the May 27, 2014, Special City Council Meeting - City Clerk's Office (Diane Holmes 620-6513).
- I-10.** APPROVE the City Manager's response to Grand Jury Report No. 1405 entitled, 'The Public Records Act in Contra Costa County', and submittal of the response to the foreperson of the 2013-2014 Contra Costa County Civil Grand Jury - City Manager's Office (Bill Lindsay 620-6512).
- I-11.** APPROVE a one-year software maintenance agreement with Kronos, Inc. for the Telestaff System that assists in managing attendance and overtime in the Police Department, in an amount not exceed \$13,900.79 for a term from July 1, 2014, to June 30, 2015 - Police Department (Chief Chris Magnus 621-1802).
- I-12.** ADOPT a resolution authorizing the City Manager to allow both the Atchison Village Mutual Homes Corporation and St. John's Apartments the opportunity to participate in the City's private sewer lateral grant program and award private sewer lateral grants to these developments in a manner that is consistent with the current grant program guidelines. Current guidelines specify awarding grants in an amount equal to fifty percent (50%) of the cost of the lowest bid for lateral replacement, not to exceed \$3,000 per sewer lateral - Engineering Services Department (Chad Davisson 620-5486).
- I-13.** INTRODUCE an ordinance (first reading) amending Chapter 12.17 of the Richmond Municipal Code to update requirements pertaining to the inspection and rehabilitation or replacement of private sanitary sewer laterals - Engineering Services Department (Chad Davisson 620-5486).
- I-14.** ADOPT a resolution approving the City of Richmond's Appropriations Limit for 2014-15, and the adjusted Appropriations Limit for 2005-06 and 2006-07, pursuant to Article XIII B, as amended, of the Constitution of the State of California - Finance Department (James Goins/Markisha Guillory 620-5434).

- I-15.** APPROVE a contract with Hadronex, Inc. to provide equipment warranties and continue ongoing continuous hydrogen sulfide monitoring services within areas around the wastewater treatment facility, in an amount not to exceed of \$70,000 for a period of two years ending on June 30, 2016 - Engineering Services Department (Chad Davisson 620-5486).
- I-16.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to reassign the classification of Risk Manager to Exempt and Confidential Management - Human Resources Management Department (Lisa Stephenson 620-6600).
- I-17.** INTRODUCE an ordinance (first reading) amending the wages, salary, and compensation for the reassigned classification of Risk Manager to Exempt and Confidential Management (Salary Range No. 3.1: \$9,024 – \$13,806/month) – Human Resources Management Department (Lisa Stephenson 620-6600).
- I-18.** APPROVE a contract with Wellhouse & Associates to prepare and file claims for State Mandated Cost Reimbursement in an amount not to exceed \$60,000 from Fiscal Year 2014-2015 to Fiscal Year 2018-2019, with payments under the contract made from expected revenues for cost reimbursement in the amount of \$375,000 - Finance Department (James Goins/Antonio Banuelos 620-6740).
- I-19.** RECEIVE a report on Point Molate activities - Engineering Services Department (Chad Davisson/Craig Murray 307-8091)
- I-20.** RECEIVE a report on the Richmond Municipal Sewer District for the months of July and August 2014 - Engineering Services Department (Chad Davisson 620-5486).
- I-21.** ADOPT a resolution amending the Recreation Department Budget, adding a \$220 donation from the parents of the May Valley Community Center for the Kids in Motion Summer Camp Program, and \$220 in expenditures for transportation services for field trips to Contra Loma Park and Cull Canyon Park - Recreation Department (Bill Lindsay/Arecia Yee 620-6793).
- I-22.** APPROVE a contract with Oscar I. Solano, Jr., DBA Zumbarico Fitness, to provide Zumba classes at the Richmond Senior Center and the Annex Senior Center in an amount not to exceed \$27,000 for a three-year period from September 1, 2014, through June 30, 2017, with two one-year options to extend these services - Recreation Department (Bill Lindsay/Kris Loftus 620-6793).
- I-23.** APPROVE the grant-funded purchase of a digital recording system and CCTV wireless radio from TYCO Integrated Security Systems in an amount not to exceed \$30,000, using funding from the Justice Assistance Grant (JAG) 2011 Grant - Police Department (Chief Chris Magnus 621-1802).

- I-24.** APPROVE a grant funded contract for purchase and installation of an interactive SMART Board and ergonomic desk for the Police Department's Watch Commander's Office with IN2CHANGE in an amount not to exceed \$21,000 - Police Department (Chief Chris Magnus 621-1802).
- I-25.** APPROVE equipment and vehicle rentals from Hertz Equipment Rental Corporation to support Public Works equipment and vehicle needs in an amount not to exceed \$30,000 per year for three years, with an option to extend this authorization for an additional two years to five years total - Public Works Department (Yader A. Bermudez 231-3008).
- I-26.** APPROVE the purchase of various emulsion oils for asphalt paving and pothole repair from Telfer Oil Company, in an amount not to exceed \$50,000 per year for a three-year term - Public Works Department (Yader A. Bermudez 231-3008).
- I-27.** ADOPT a resolution renewing standing orders/outline agreements for technology related goods and services from AT&T; CompuCom; Dell Inc.; HP; R-Computer; Nonagon; and KRAY in an amount not to exceed \$250,000 per year per vendor for a period of five years (This item was reviewed and recommended for approval by the Finance Standing Committee at its September 12, 2014, meeting) - Information Technology Department (Sue Hartman 620-6784).

J. ITEMS CONTINUED FROM PREVIOUS MEETINGS

Continued Consent Calendar

- J-2.** APPROVE the 2014/2015 North Richmond Waste and Recovery Mitigation Fee Expenditure Plan that specifies the activities and the revenue to support those activities from July 1, 2014, through June 30, 2015, as recommended by the North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee - City Manager's Office (Bill Lindsay 620-6512/Lori Reese-Brown 620-6869). **This item was continued from the June 24 and July 1, 15, and 29, 2014, meetings for Council deliberation and determination only.**

K. PUBLIC HEARINGS - NOT EARLIER THAN 7:15 P.M.

- K-1.** INTRODUCE an ordinance (first reading) amending the Zoning Ordinance and Zoning Map to change the land use designation for undeveloped parcels on Jetty Drive from M-1 Industrial/Office Flex to PA, Planned Area District to provide conformity with the General Plan 2030; and ADOPT a resolution approving a Conditional Use Permit to construct residential units as part of Phase 2 of the Anchorage at Marina Bay subdivision project - Planning and Building Services Department (Richard Mitchell 620-6706).

L. RESOLUTIONS - NOT EARLIER THAN 7:30 P.M.

- L-1.** ADOPT a resolution in support of the Richmond Police Activities League (RPAL) mentor program - Mayor McLaughlin (620-6503).
- L-2.** ADOPT a resolution urging the City of Richmond to support efforts at the Congressional level to address the growing humanitarian crisis of unaccompanied children fleeing violence from Central America - Mayor McLaughlin (620-6503) and Vice Mayor Jovanka Beckles (620-6568).
- L-3.** ADOPT a resolution calling upon the federal government to stop the non-therapeutic use of antibiotics on factory farms - Mayor McLaughlin (620-6503), Vice -Mayor Beckles (620-6581) and Councilmember Butt (620-6861).
- L-4.** ADOPT a resolution in support of a partnership between the City of Richmond and the Men and Women of Purpose (MWP) to help MWP become more competitive in their efforts to seek grant funding to provide services for our residents - Councilmember Myrick (620-6636).
- L-5.** ADOPT a resolution in support of expediting procedures under the Planned Area District Zoning Section 15.04.610 of the Richmond Municipal Code for environmentally friendly medium mixed used projects in Marina Bay - Councilmember Myrick (620-6636).
- L-6.** ADOPT a resolution of the City Council of the City of Richmond to regulate development of parcels with creeks - Councilmember Butt (620-6861).
- L-7.** ADOPT a resolution to implement provisions of the general plan 2030 relative to community trails - Councilmember Butt (236-7435).

M. ORDINANCES - NOT EARLIER THAN 9:15 P.M.

- M-1.** INTRODUCE an ordinance (first reading) amending Section 6.40.020 of the Richmond Municipal Code Chapter 6.40, Residential Rental Dwelling Unit Inspection and Maintenance, expanding the residential rental inspection program (RRIP) to all residential rental properties, and making corrections to the current definition of "Rental Residential Dwelling Unit" - Planning and Building Services Department (Richard Mitchell 620-6706).

N. COUNCIL AS A WHOLE - NOT EARLIER THAN 9:30 P.M.

- N-1.** CONSIDER potential amendments to City Council Rules and Procedures as well as additional policies in order to handle disruptions during City Council meetings and DIRECT staff to bring back final versions of such policies for the Council's consideration and adoption - City Manager's Office (Bill Lindsay 620-6512), City Attorney's Office (Bruce Reed Goodmiller 620-6509), and Police Department (Chief Chris Magnus 620-1802).

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

P. 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.