



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, July 28, 2015

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
Jael Myrick

Councilmembers
Nathaniel Bates
Jovanka Beckles
Eduardo Martinez
Gayle McLaughlin
Vinay Pimplé

Housing Authority Tenant Commissioners
Dolores Johnson
Barbara Sutton

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 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**. 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 ON CLOSED
SESSION ITEMS**

6:00 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. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Initiation of litigation pursuant to Subdivision (c) of Government Code Section
54956.9):

One Case

SPECIAL 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. OPEN FORUM FOR PUBLIC COMMENT**
- E. AGENDA REVIEW**
- F. HOUSING AUTHORITY CONSENT CALENDAR**

- F-1.** ADOPT a resolution approving a three-year contract with Rubicon Landscape Services for as-needed landscape services at public housing properties in an amount not to exceed \$150,000 per year for a total maximum contract amount of \$450,000 for the three-year period. (This item was reviewed and recommended for approval by the Housing Advisory Commission at its January 12, 2015, meeting.) - Richmond Housing Authority (Tim Jones 621-1310).
- F-2.** ADOPT a resolution authorizing the Richmond Housing Authority to revise the Section 8 and Public Housing Program Utility Allowances to reflect the new rates for FY2015-2016 - Richmond Housing Authority (Tim Jones 621-1310).
- F-3.** ADOPT a resolution authorizing the Housing Authority Executive Director to submit the 2015 Section 8 Management Assessment Program (SEMAP) Certification to the U.S. Department of Housing and Urban Development (HUD) - Richmond Housing Authority (Tim Jones 621-1310).
- F-4.** AUTHORIZE amendment and replacement of Resolution #1991 with updated resolution for the Executive Director of the RHA to execute documents and complete all actions to support the RAD conversion, financing activity, ground lease /transfer of improvements, and RHA role as co guarantor for the Friendship Manor and Triangle Court developments; AUTHORIZE amendment and replacement of Resolution #1992 with updated resolution for the City of Richmond Housing Authority to issue and deliver updated multifamily housing revenue bonds documents in an aggregate principal amount not to exceed \$18,000,000 for the purpose of financing the acquisition, construction, rehabilitation and development of Friendship Manor and Triangle Court and to execute and take any action necessary to issue the bonds - Richmond Housing Authority (Tim Jones 621-1310).

Tuesday, July 28, 2015

F-5. APPROVE the minutes of the June 16 and July 7, 2015, meetings - City Clerk's Office (Pamela Christian 620-6513).

G. **ADJOURNMENT**

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. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

E-1. PRESENT a Certificate of Recognition to Ms. Jasmine Gill for being awarded the 2015 Gates Millennium Scholarship - Councilmember Vinay Pimplé (412-2050) and Mayor Tom Butt (620-6503).

E-2. PRESENT a proclamation acknowledging Mr. André Farr's accomplishments and congratulating him for receiving the 2015 Innovative Entrepreneur of the Year from the Los Angeles Minority Business Development Agency - Councilmember Bates (620-6743) and Mayor Butt (620-6503).

E-3. ANNOUNCE City of Richmond Board and Commission vacancies as of July 28, 2015, and ask that interested residents send applications to the City Clerk - Mayor Tom Butt (620-6503).

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

G. REPORT FROM THE CITY MANAGER

H. OPEN FORUM FOR PUBLIC COMMENT

I. CITY COUNCIL CONSENT CALENDAR

I-1. APPROVE an agreement with Moonlite Electric to upgrade electrical service at Port of Richmond Terminal 3 for a total amount not to exceed \$52,050 - Port (Jim Matzorkis/Lucy Zhou 215-4600).

I-2. APPROVE a contract with Van Iwaarden Associates for actuarial services necessary for pension fund management for an amount not exceed \$36,400 and for a term from July 31, 2015, with two possible one-year contract extensions based upon satisfactory performance during the initial one year contract term - Finance Department (Belinda Warner/Tracey Angelo 620-6750).

- I-3.** APPROVE a reimbursement agreement with the Richmond Museum Association to complete all necessary improvements necessary to relocate the SS Red Oak Victory from berth 6A to Graving Basin Number 1 and then to Graving Basin Number 5 in an amount not to exceed \$350,000 - Port (Jim Matzorkis/Lucy Zhou 215-4600).
- I-4.** APPROVE the 2015/2016 North Richmond Waste and Recovery Mitigation Fee Expenditure Plan that specifies the activities and specific funding allocations of revenue derived from the collection of mitigation fees from the waste recycling facility in North Richmond, as recommended by the North Richmond Waste and Recovery Mitigation Fee Committee - City Manager's Office (Bill Lindsay 620-6512).
- I-5.** APPROVE Amendment No.4 to the existing construction agreement with Turner Group Construction to complete renovations of a 71-year old 4-plex located at 411-423 S. 23rd Street. The additional expenditures will not exceed \$33,690 - Housing and Community Development (James Goins 620-6935).
- I-6.** AUTHORIZE the City Manager and Port Executive Director to negotiate and execute a First Amendment to Lease with RJJ Resource Management Corp (RJJ) to change the Lease Rent Commencement Date to commence with RJJ's obtaining entitlements for operations, and to include a new provision for the Port to reimburse RJJ for an amount not to exceed \$60,000 for the cost of environmental review as required for such entitlements - Port (Jim Matzorkis/Lucy Zhou 215-4600).
- I-7.** ADOPT an ordinance (second reading) setting wastewater user rates for fiscal years 2015-16 through 2019-20. The recommended annual rate increases are 6.8% for each of these five fiscal years - City Manager's Office (Bill Lindsay 620-6512).
- I-8.** DIRECT staff to reject all bids for the rehabilitation of the Greenway Lighting, review Engineer's estimate and call for new bids - Public Works Department (Yader A. Bermudez 774-6300).

J. ITEMS CONTINUED FROM PREVIOUS MEETINGS

Continued Public Hearings

- J-2.** ADOPT a resolution authorizing the City of Richmond to levy special assessments against certain properties having unpaid invoices related to administrative citations, nuisance abatement costs, and foreclosure ordinance fines pursuant to Richmond Municipal Code Chapters 9.22, 6.38, 9.50 and 2.63 - Police Department (Chief Chris Magnus 621-1802). **This Item was continued from the July 21, 2015, meeting.**

Continued Ordinances

- J-3.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Article VI, Building Regulations by adding a new Chapter 6.47, Permit Process for Small Residential Rooftop Solar Systems, implementing provisions of AB 2188 by creating an expedited, streamlined permitting process for small residential rooftop solar systems - Planning and Building Services Department (Richard Mitchell 307-8159). **This item was continued from the July 21, 2015, meeting.**
- J-4.** INTRODUCE an ordinance (first reading) of the City Council of the City of Richmond repealing Article III, Chapter 3.40 of the Richmond Municipal Code pertaining to the Community Development Commission - Mayor Tom Butt (620-6503). **This item was continued from the July 21, 2015, meeting.**

Continued Council as a Whole

- J-5.** DIRECT staff to further research a Fair Housing Ordinance to include previously incarcerated residents - Councilmember Jovanka Beckles (620-6568) and Vice Mayor Jael Myrick (620-6636). **This item was continued from the July 21, 2015, meeting.**

K. PUBLIC HEARINGS

- K-1.** ADOPT a resolution approving a report of sewer service charges for FY2015/16, and allowing for the sanitary and stormwater fees to be collected on the annual 2015-2016 tax rolls - Utilities Department (Mary Phelps 621-1269).

L. STUDY SESSION

- L-1.** RECEIVE a presentation to review policy initiatives to improve the availability, quality and development of affordable housing, from Mayor Tom Butt and local experts in affordable housing development - Mayor Tom Butt (620-6503).
- L-2.** RECEIVE a presentation from North Star Destinations regarding the Mayor's Branding and Marketing Initiative - Mayor Tom Butt (620-6503).
- L-3.** RECEIVE a presentation from the Office of the Sheriff regarding the West County Detention Facility Expansion Project, and CONSIDER whether to oppose or support the Sheriff's Office's expansion project - Mayor Tom Butt (620-6503).

M. STUDY AND ACTION SESSION

- M-1.** RECEIVE a report from the city manager and city clerk on ideas to produce the City Council agenda packet earlier than its current Friday production prior to the regularly scheduled Tuesday City Council meeting, and provide direction to staff- City Manager's Office (Bill Lindsay 620-6512).
- M-2.** (1) RECEIVE a presentation on the proposed 10-year Environmental and Community Investment Agreement (ECIA) budget; (2) ADOPT a resolution revising the ECIA budget for FY 2015-16; (3) AUTHORIZE the City Manager to enter into an agreement with Chevron to establish an administrative plan for the Richmond Promise consistent with the guidelines of the ECIA; and (4) AUTHORIZE the City Manager to enter administrative service contracts as required to ensure the scholarship is available to seniors graduating in 2016 - City Manager's Office (Bill Lindsay 620-6512).

N. RESOLUTIONS

- N-1.** ADOPT a resolution authorizing the issuance and sale of not to exceed \$35,000,000 City of Richmond, California, 2015-2016 Tax and Revenue Anticipation Notes; approving the forms of and directing the distribution of a Note Purchase Agreement, an Official Statement and a Continuing Disclosure Certificate and a Custody Agreement; delegating to Officers of the City authorization to negotiate a sale or placement of said notes; and authorizing taking of necessary actions and execution of necessary documents - Finance Department (Belinda Warner/Susan Segovia 307-8022).
- N-2.** ADOPT a resolution opposing the proposed West County Detention Facility Project - Councilmember Beckles (620-6568) and Vice Mayor Myrick (620-6636).

O. ORDINANCES

- O-1.** ADOPT an ordinance (second reading) amending the Richmond Municipal Code to establish Rent Control plus Just Cause for Eviction and AUTHORIZE the City Manager to enter into contracts, including sole source contracts, to implement the ordinance in an amount not to exceed \$100,000 - City Manager's Office (Bill Lindsay 620-6512).

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

Q. 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.