



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, October 20, 2015

Link to City Council Agendas/Packets
<http://sireweb.ci.richmond.ca.us/sirepub/meet.aspx>
Register to receive notification of new agendas, etc.
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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, 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 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 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**

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. LIABILITY CLAIMS -(Government Code Section 54956.9):

Pineda vs. City of Richmond

**A-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision [a] of Government Code Section 54956.9):**

Plummer vs. City of Richmond

Affordable Housing Land Consultants, LLC vs. City of Richmond

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 authorizing grant-funded service contracts with four Project REAL IV Grant Program lead remediation service contractors (United Painting and Construction, J's Construction, Plant Hazardous Services, and Doherty Restoration) for amounts not to exceed \$87,500 per firm for a one year term - Richmond Housing Authority (Tim Jones 621-1310).

F-2. ADOPT a resolution approving a contract with A-1 Protective Services to provide security services for the public housing senior developments, Nevin Plaza, Hacienda and Friendship Manor, for a three-year term with two optional one-year extensions, at a cost of \$330,000 annually. The procurement process for this contract has been reviewed and approved by the Department of Housing and Urban Development (HUD) - Richmond Housing Authority (Tim Jones 621-1310).

F-3. APPROVE the minutes of the July 28, 2015, meeting - 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. PROCLAMATION declaring October 20, 2015, to October 24, 2015 as Food Week in Richmond (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 a contract amendment with Legacy Mechanical & Energy Services, Inc. for as-needed mechanical building maintenance services to perform major mechanical building maintenance services at various City-owned facilities, including Civic Center Plaza, Richmond Main Library, and the two swim centers, increasing the contract by \$50,000 for a total contract amount of \$210,000 - Public Works Department (Yader A. Bermudez 774-6300).
 - I-2. APPROVE a three-year, sole-source contract with Socrata, Inc. to develop and maintain an open data portal to share police data with the public, in an amount not to exceed \$70,400 for the term of the contract, commencing November 1, 2015, through October 31, 2018 - Police Department (Chief Chris Magnus 621-1802).
 - I-3. APPROVE the purchase of two 2016 Kawasaki Mule Pro-FX side-by-side utility vehicles from Green Valley Tractor, Inc., for the Police Department's Cadet and Park Ranger Programs, in an amount not to exceed \$34,000 - Richmond Police (Chris Magnus 621-1802).
 - I-4. APPROVE a contract with NEMA Construction for the rehabilitation of the Greenway lighting system in an amount not to exceed \$240,000.00 - Public Works Department (Yader A. Bermudez 774-6300).

- I-5.** APPROVE a contract with Groundwork Richmond to function as the Urban Forestry Project Administrator, that will provide support to the City of Richmond Parks Division in implementing an urban forestry program to include tree planting, coordination of a tree committee and tree care oversight, in an amount not to exceed \$125,000, and with a contract term from November 1, 2015 to December 31, 2017, funded by the Chevron Refinery Modernization Project Environmental and Community Investment Agreement - Public Works Department (Yader A. Bermudez 774-6300).
- I-6.** REVIEW and APPROVE the City's Investment and Cash Balance Reports for the months of July 2015 and August 2015 - Finance Department (Belinda Warner/Tracey Angelo 620-6750).
- I-7.** APPROVE a contract with NEMA Construction to install a new elevator and perform Americans with Disabilities Act (ADA)-related restroom improvements at the Richmond Auditorium in an amount not to exceed \$990,000, to be financed using Community Development Block Grant (CDBG) funds - Public Works Department (Yader A. Bermudez 774-6300).
- I-8.** APPROVE an agreement with The Trust for Public Land to complete a community-build park project at John F. Kennedy Park - City Manager's Office (Bill Lindsay/Rochelle Monk 620-6512).
- I-9.** APPROVE a legal services agreement with Gordon & Rees for the evaluation and legal review of the City's Wastewater Operations (as contracted by Veolia Water North America), and the legal review of any documents regarding the Sludge Ponds Lease Agreement with West County Wastewater District, in an amount not to exceed \$25,000 - Utilities Department (Ryan Smith 620-5486).
- I-10.** APPROVE an amendment to the contract with Alliance Graphics, Inc. to provide graphic art services and promotional products for the RichmondBUILD Academy. The contract term will be extended through June 30, 2016, and the contract amount will be increased by \$9,000 for a total contract amount not to exceed \$18,500 - Employment and Training Department (Sal Vaca/ Fred Lucero 621-1562).
- I-11.** ACCEPT and APPROPRIATE the donation from Sally M. Adler in the amount of \$500.00 for the Office of Neighborhood Safety's (ONS) Operation Peacemaker Fellowship Program - Office of Neighborhood Safety (Devone Boggan 620-5422).
- I-12.** ADOPT a resolution approving a 3% annual cost of living increase, in addition to the 2% minimum cost of living increase, for the recipients of the General Pension Fund, for a total annual cost of living increase of 5% for these recipients - Finance Department (Belinda Warner/Susan Segovia 307-8022).

- I-13.** APPROVE an amendment to the grant-funded contract with the Laborers' Community Service & Training Foundation to provide an additional series of four environmental workforce development training classes at the RichmondBUILD Academy. The contract term will be January 13, 2014, through June 30, 2016, and the contract amount will be increased by \$60,000 to a total contract amount not to exceed \$125,000 - Employment and Training Department (Sal Vaca/Fred Lucero 307-8023).
- I-14.** ADOPT resolutions establishing new stop controls, and revising existing stop controls, to improve safety along neighborhood traffic corridors - Public Works Department (Yader Bermudez/Steven Tam 307-8091).
- I-15.** APPROVE a three-year contract with Wesco Graphics Inc. to print the next six editions of the Recreation Department's bilingual Activities Guide. The total contract amount is not to exceed \$45,000 for the period beginning October 1, 2015, and ending June 30, 2018 - Recreation Department (Devone Boggan 620-6950).
- I-16.** APPROVE a three-year contract with Corodata Records Management, Inc. and Recall Total Information Management, Inc. to provide off-site file and document storage services in an amount not to exceed \$200,000 per vendor over a three year period, with an option to extend the contracts for two years - Finance Department (Belinda Warner/Ofelia Alvarez 620-6699).
- I-17.** APPROVE a contract amendment with Best Contracting Services, Inc. and payment for the final change order for roof replacement at the Point Richmond Library/Community Center, in an amount not to exceed \$92,459, for a total contract amount of \$332,459 - Public Works Department (Yader A. Bermudez 774-6300).
- I-18.** APPROVE an emergency purchase of pool boiler parts from Parts4heating to repair the boiler at the Richmond Swim Center in an amount not to exceed \$20,000.00 - Public Works Department (Yader A. Bermudez 774-6300).
- I-19.** APPROVE the minutes of the regular City Council meeting held Tuesday, September 29, 2015 - City Clerk's Office (Pamela Christian 620-6513).
- I-20.** INTRODUCE an ordinance (first reading) amending the contract between the California Public Employees' Retirement System and the Richmond City Council to allow classic local safety members in Richmond Fire Management Association (RFMA), International Association of Fire Fighters, Local 188 (Local 188) and Richmond Police Management Association (RPMA) to contribute an additional 1%, for a total of 3%, towards their retirement costs - Human Resources Management Department (Lisa Stephenson 620-6600).

I-21. RECEIVE the Certificate of Sufficiency of Initiative Petition dated October 6, 2015, indicating that the initiative petition entitled "Richmond General Plan 2030 Amendment" has a sufficient number of valid signatures to be submitted to the voters at a special election. This is the only Council action at this time - City Clerk's Office (Pamela Christian 620-6513).

I-22. RECEIVE the Certificate of Sufficiency of Referendum Petition dated October 13, 2015, indicating that the referendum petition protesting the passage of Ordinance No. 21-15 N.S. -- amending Article XI of the Richmond Municipal Code to establish a rent control board and just cause requirement for evictions -- has a sufficient number of valid signatures for the ordinance to be suspended. This is the only Council action at this time - City Clerk's Office (Pamela Christian 620-6513).

J. COUNCIL AS A WHOLE

J-1. APPROVE Richmond Compassionate Care Collective's ("RCCC") request for a sixty (60) day extension of time to commence operations, pursuant to Richmond Municipal Code ("RMC") section 7.102.030C, provided that RCCC resumes payment of quarterly regulatory permit fees - Police Department (Chief Chris Magnus 621-1802).

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

L. 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.