



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**AMENDED**

**AGENDA**

**Tuesday, November 17, 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**

Barbara Sutton

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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 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).

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**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. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Subdivision [a] of Government Code Section 54956.9):  
  
Sipple vs. City of Alameda et al
  - A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
(Significant exposure to litigation pursuant to Subdivision (b) of Government  
Code Section 54956.9):  
  
One case

**SPECIAL JOINT POWERS FINANCE AUTHORITY/RICHMOND  
CITY COUNCIL**

6:00 p.m.

**A. ROLL CALL**

**B. STATEMENT OF CONFLICT OF INTEREST**

**C. OPEN FORUM FOR PUBLIC COMMENT**

**D. RESOLUTION**

**D-1.** ADOPT (1) a resolution of the Richmond Joint Powers Financing Authority authorizing the issuance, sale and deliver of not to exceed \$40,000,000 of Lease Revenue Bonds; approving the forms of and authorizing the execution and delivery of a Trust Agreement, a Site Lease, a Facility Lease, a Bond Purchase Contract, and an Official Statement; authorizing forms of Termination Agreements and directing the termination of an Interest Rate Swap and Option on Interest Rate Swap associated with the Richmond Joint Powers Financing Authority's Lease Revenue Refunding Bonds (Civic Center Project), Series 2009; and approving the taking of all necessary actions in connection therewith, and (2) ADOPT a resolution of the City Council approving the issuance of not to exceed \$40,000,000 aggregate principal amount of the Richmond Joint Powers Financing Authority's Lease Revenue Bonds, authorizing the forms and directing the execution and delivery of a site lease, a facility lease, a bond purchase contract, an official statement, and a continuing disclosure agreement; authorizing forms of termination agreements and directing the termination of an interest rate swap and option on interest rate swap associated with the Richmond Joint Powers Financing Authority's Civic Center Lease Revenue Bonds Series 2009; authorizing a novation of two interest rate swaps associated with the City's Pension Funding Bonds Series 2005B-1 and Series 2005B-2, directing the execution of an amended and restated schedule and two confirmations related thereto; and approving the taking of all necessary actions in connection therewith - Finance Department (Belinda Warner 620-6754).

**E. 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. **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. **SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR**
  - H-1. ADOPT a resolution approving an amendment to the contract with Municipal Resources Group, LLP, for the services of Mr. Alan Wolken in support of Successor Agency real property transactions, including the Miraflores Housing Project, the Richmond Transit Village, and the state-required Long Range Property Management Plan for Successor Agency-owned properties, increasing the payment limit by \$116,640 to an as-amended total of \$126,640 and for a term extending to June 30, 2016, with one annual renewal option not to exceed \$155,520 and extending to June 30, 2017 - Successor Agency (Chadrick Smalley 412-2067).
- I. **CITY COUNCIL CONSENT CALENDAR**
  - I-1. APPROVE an amendment to the legal services agreement with Shartsis Friese LLP to represent the City, and City-related entities', interests in litigation with Menlo Capital, the buyer of the Westridge Apartments. The term of the amendment shall expire on December 31, 2016, and shall have a not to exceed \$100,000 payment limit - City Attorney's Office (Bruce Reed Goodmiller 620-6509).

- I-2.** APPROVE a contract with Industrial Safety Supply Corporation to provide testing, inspections, repairs and maintenance of approximately 335 Scott masks, air-paks, and self-contained breathing apparatus (SCBA) cylinders, in an amount not to exceed \$49,950 for a three-year term ending October 31, 2018 - Fire Department (Chief Adrian Sheppard 307-8041).
- I-3.** APPROVE a contract with BLD Consulting to provide data management planning, configuration, customization, and training related to the Fire Department's Fire Records Management System (FireRMS) in an amount not to exceed \$42,000 for a three-year period ending October 31, 2018 - Fire Department (Chief Adrian Sheppard 307-8041).
- I-4.** APPROVE a contract with DP Security, LLC (DP Security) to provide security services to former Naval Fuel Depot Point Molate for an interim period from July 1, 2015, through December 31, 2015, with an option to extend the contract on a month-to-month basis for an additional two month period, for a total amount not to exceed \$175,720.08 - City Manager's Office (Bill Lindsay 620-6512).
- I-5.** REVIEW and APPROVE the City's Investment and Cash Balance Report for the month of September 2015 - Finance Department (Belinda Warner/Tracey Angelo 620-6750).
- I-6.** APPROVE an extension to the lease of the property located at 500 23rd Street, Richmond, CA to be used for RichmondBUILD and Project FLOW job training activities. The extended lease period is July 1, 2015 through March 31, 2016. The leasing fee is \$5,000 per month for a total amount will not to exceed \$45,000 - Employment and Training Department (Sal Vaca 307-8023/Fred Lucero 621-1562).
- I-7.** APPROVE the first amendment to the Remediation and Abatement agreement with Performance Abatement Services to complete the cleanup of spilled oil containing polychlorinated biphenyl as required by the Toxic Control Substance Act, increasing the amount by \$210,000 to a total not to exceed \$810,640 - Port Department (Jim Matzorkis 215-4600).
- I-8.** 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-9.** ADOPT a resolution approving a Letter of Agreement between the City of Richmond and Veolia Water North America for the operation and maintenance of the Moody Underpass Pump Station on a periodic month-to-month basis for a period of no more than four (4) months, subject to termination by either party upon thirty days prior to written notice in an amount not to exceed \$6,601 per month - Utilities Department (Ryan Smith 620-5486).

- I-10.** APPROVE the minutes of the regular City Council meeting held Tuesday, October 27, 2015 - City Clerk's Office (Pamela Christian 620-6513).
- I-11.** APPROVE an amendment to the agreement between Cities of Service and the City of Richmond for provision of a Volunteer in Service to America (VISTA) position to support the Love Your Block initiative - City Manager's Office (Bill Lindsay/Rochelle Monk 620-6512).
- I-12.** APPROVE in concept the relocation of the fire training facility from 3506 Cutting Boulevard to the Maritime Safety and Security Center operated by the California Maritime Academy, located at 756 West Gertrude Avenue in Richmond, and subsequent sale of the vacated property on Cutting Boulevard - Fire Department (Adrian Sheppard 307-8041).
- I-13.** PROCLAMATION honoring the life and legacy of Lonnie C. Washington, Jr. - Mayor Tom Butt (620-6503) and Councilmember Nat Bates (620-6743).
- I-14.** APPROVE a resolution of the City Council of the City of Richmond supporting the reactivation and reformation of the Urban Forest Advisory Committee - Mayor Tom Butt (620-6503).
- I-15.** APPROVE a contract with the City Manager that will provide for: (1) an extended four-year term from February 14, 2016, to February 13, 2020; (2) postpone a previously agreed to 6% salary increase but grant annual two percent (2%) deferred salary increases to his then current salary, effective July 1st of the applicable fiscal year, up to a maximum of three such two percent (2%) increases over the life of the Contract; and (3) authorize such salary increases upon the occurrence of one or more designated triggers for any given Fiscal Year from Fiscal Years 2015/2016 through 2019/2020 - Mayor Tom Butt (620-6502).
- I-16.** APPROVE participation by the City of Richmond in a Technical Assistance Panel on the development of Pt. Molate to be conducted by the Urban Land Institute (ULI) and funded by the Trust for Public Land (TPL), as recommended by the Point Molate Citizens Advisory Committee (PMCAC) -- Mayor Tom Butt, Councilmember Gayle McLaughlin, Councilmember Eduardo Martinez.

**J. RESOLUTIONS**

- J-1.** ADOPT a resolution opposing the Trans Pacific Partnership (TPP) Agreement, the Trans-Atlantic Free Trade Agreement (TAFTA) and the Trade in Services Agreement (TiSA) in their current forms as a supplement to City of Richmond Resolution 17-15 - Councilmember Gayle McLaughlin (620-5431).

- J-2.** ADOPT a resolution directing staff, when placing an item on the agenda, to: 1) disclose a one year history of contract awards by the department, 2) disclose a three year history of contracts awarded to the vendor by the department, 3) include a list of change orders submitted by the vendor, and approved by the city, 4) summarize the competing initial bids, including the local sourcing status of those bids, when council approval is requested for a change order - Councilmembers Eduardo Martinez and Vinay Pimplé (620-6581).

**K. ORDINANCES**

- K-1.** RECEIVE the Health in All Policies (HiAP) Annual Report and INTRODUCE an ordinance (first reading) amending certain provisions of Richmond Municipal Code Chapter 9.15, Health in All Policies, relating to definitions and frequency of reporting - City Manager's Office (Bill Lindsay/Shasa Curl 620-6512).

**L. COUNCIL AS A WHOLE**

- L-1.** DISCUSS and APPROVE specific policy options pertaining to the Richmond Promise with respect to school eligibility and award amounts and PROVIDE direction to staff - City Manager's Office (Bill Lindsay 620-6512). **This item was continued from the October 27, 2015, meeting. FOR COUNCIL DELIBERATION AND DETERMINATION ONLY.**
- L-2.** RECEIVE a report regarding the impacts of the initiative to amend the Richmond General Plan 2030 to allow a 59 unit single family detached project on a site south of the intersection of Marina Way South and Hall Drive (the "Initiative") ordered by the City Council on September 22, 2015, pursuant to Election's Code 9212; and either (a) ADOPT the Initiative by ordinance, without alteration; OR (b) immediately order a special election pursuant to subdivision (a) of Section 1405 at which time the Initiative shall be submitted to the voters, most likely at the June 7, 2016, Presidential Primary election - City Clerk's Office (Pamela Christian 620-6513).
- L-3.** DIRECT staff to review current "best practices" to improve compatibility in transitional areas of zoning districts such that land use permit standards in commercial and industrial areas reflect current best regulatory standards while providing industrial uses with adequate opportunity and reasonable time to adapt to upgraded operating standards - Councilmember Gayle McLaughlin (620-5431).

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

**N. 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.*