



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**AGENDA**  
**Tuesday, April 5, 2016**

*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**  
Eduardo Martinez

**Councilmembers**

Nathaniel Bates  
Jovanka Beckles  
Gayle McLaughlin  
Jael Myrick  
Vinay Pimplé

**Housing Authority Tenant Commissioners**  
Two vacancies

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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**

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. LIABILITY CLAIMS -(Government Code Section 54956.9):**

Agnew vs. City of Richmond

Cervantes vs. City of Richmond

## 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 recognizing the anniversaries of the Galileo Club and the Women's Auxiliary - Councilmember Nathaniel Bates (620-6743). **This item was continued from the February 22, 2016, meeting.**
- 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 third amendment to the existing agreement with Cox, Wootton, Lerner, Griffin & Hansen, LLP for continued legal services regarding maritime law matters, and the matter of Port of Richmond vs. J.E.B.S. & Associates, Inc., legal services to terminate the lease with Oscar Neimeth Tow Company, and legal services regarding maritime law matters with Semi-Truck and Trailer Repair Corp., increasing the contract amount by \$30,000.00 for a total contract amount not-to-exceed \$90,000.00 - Port Department (Jim Matzorkis 215-4600).
  - I-2. ADOPT a resolution amending the Port of Richmond Tariff FMC No. 3 reflecting a 1.8% increase in tariff rates, consistent with the annual change in the consumer price index (CPI), as approved by the Executive Committee of the California Association of Port Authorities (CAPA) - Port Department (Jim Matzorkis 215-4600).
  - I-3. APPROVE a one-year contract with East Bay Center for the Performing Arts to support Richmond youth with ongoing performing arts and culture programs in the amount of \$60,000 - Library and Cultural Services Department (Katy Curl 620-6554/Michele Seville 620-6952)

- I-4.** APPROVE a one-year contract with Nurturing Independence through Artistic Development (NIAD) to support arts and cultural programs in the amount of \$60,000 - Library and Cultural Services Department (Katy Curl 620-6554/Michele Seville 620-6952)
- I-5.** APPROVE a first amendment to the lease between the City of Richmond and the Richmond Art Center at 2540 Barrett Avenue, amending the leased area to include the former KCRT space at 2544 Barrett Avenue, and extending the term of the lease through June 30, 2017 - Library and Cultural Services Department (Katy Curl 620-6544/Michele Seville 620-6952).
- I-6.** ADOPT a resolution authorizing the examination of transactions and use tax records and APPROVE a contract amendment with MuniServices, authorizing them to review said records and to perform certain compliance and protective services related to the collection and payment of both the Transactions and Use Tax (Measure U) and the Utility User Tax (UUT) on the Local Prepaid Mobile Telephony Services Collection Act (AB 1717) - Finance Department (Belinda Warner/Antonio Banuelos 620-6741).
- I-7.** APPROVE an amended contract with Alameda County Training and Education Center to continue providing customer service training for an original term of November 1, 2015, to June 30, 2016, increasing the amount by \$7,850, for a total contract amount not to exceed \$13,075 - Human Resources Management Department (Lisa Stephenson/Maria Blue 620-6600).
- I-8.** APPROVE an emergency contract with Restoration Management Company for flood remediation services at the Richmond Plunge in an amount not to exceed \$50,299.73 - Public Works Department (Yader A. Bermudez 774-6300).
- I-9.** AUTHORIZE the Port to enter into a new five-year lease term with one, five-year option with California Oils Corporation - Port Department (Jim Matzorkis/Lucy Zhou 215-4600).
- I-10.** APPROVE a contract with Steven Siemers Dispute Resolution, LLC to provide Alternative Dispute Resolution services for a period of three (3) years in an amount not to exceed \$100,000, with a City extension option of up to two (2) years - Human Resources Management Department (Lisa Stephenson/Kim Greer 620-6600).
- I-11.** APPROVE the recommendation of the Personnel Committee to provide a compensation adjustment to the City Clerk. Effective March 2, 2016, the City Clerk's monthly salary will be increased to \$8,491/month (a 5.0% increase) - Human Resources Management Department (Lisa Stephenson 620-6600).
- I-12.** ADOPT a resolution supporting participation in the Institute for Local Government's Beacon Program - Office of Mayor Tom Butt (Mayor Tom Butt 620-6503)

- I-13.** APPROVE actions to update the Human Rights and Human Relations Commission: APPOINT Betty Burrus-Wright, re-appointment, seat #4, term expiring March 30, 2019; Jasmine Jones, re-appointment, seat #7, term expiring March 30, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-14.** APPROVE actions to update the Recreation and Parks Commission: APPOINT Ama Jacques, new appointment, seat #9, term expiring October 26, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-15.** APPROVE actions to update the Richmond Workforce Development Board: APPOINT Cassandra Youngblood, new appointment, seat #18, term expiring March 1, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-16.** APPROVE actions to update the Economic Development Commission: APPOINT Qiana Riley, re-appointment, seat #8, term expiring March 30, 2019; James Lee, new appointment, seat #11, term expiring March 30, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-17.** APPROVE the minutes of the regular City Council meetings held Tuesday, March 1 and 15, 2016 - City Clerk's Office (Pamela Christian 620-6513).

**J. COUNCIL AS A WHOLE**

- J-1.** APPROVE sponsorship by the City of Richmond of the 2016 Soil Not Oil Conference to be held on August 5-6, 2016, at the Richmond Memorial Convention Center - Councilmember Gayle McLaughlin (620-5431) and Mayor Tom Butt (620-6503).
- J-2.** DIRECT staff to engage with Contra Costa County to hold a workshop, modeled after Alameda County's workshop, in regards to the new California mold legislation SB 655 (Mitchell) in order to effectively implement the new legislation and improve community health - Councilmember Gayle McLaughlin (620-5431).
- J-3.** DIRECT staff to take steps to engage a firm with experience in auditing local governments to conduct a full audit of the city organization including improvement and efficiencies in delivery of services, and staffing levels and cost per unit of services - Councilmember Vinay Pimplé (412-2050) and Councilmember Nathaniel Bates (620-6743).

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

**L. 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.*