



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, April 19, 2016

Link to City Council Agendas/Packets
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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

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).

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 Week of the Young Child, celebrated nationally from April 10th through April 16th - Councilmember Jael Myrick (620-6636) and Mayor Tom Butt (620-6503).

F. REPORT FROM THE CITY MANAGER

G. OPEN FORUM FOR PUBLIC COMMENT

H. CITY COUNCIL CONSENT CALENDAR

H-1. APPROPRIATE the amount of \$652,781 from available funds in the Wastewater enterprise capital improvements budget for engineering services for the preparation of the Wastewater Treatment Plant Facility Plan and Clean Water State Revolving Fund loan application - Utilities Department (Ryan Smith 620-5486).

H-2. APPROVE an agreement with Boudreau Associates, LLC to complete field sampling, environmental documentation, and permitting to obtain approval from the United States Army Corps of Engineers, Regional Water Quality Control Board, and Bay Conservation and Development Commission to dredge berths 7 and 8 of the Point Potrero Marine Terminal, at a cost of \$108,000 and for a term ending December 31, 2016 - Port Department (Jim Matzorkis 215-4600).

H-3. REVIEW and APPROVE the City's Investment and Cash Balance Report for the month of February 2016 - Finance Department (Belinda Warner/Tracey Angelo 620-6750).

H-4. APPROVE a contract with The Gardner Group LLC to provide an organization and management review of services provided by the Recreation Department in an amount not to exceed \$25,000 - Recreation Department (Rochelle Monk 620-6950).

- H-5.** APPROVE a three-year contract with Pyro Engineering, dba Bay Area Fireworks, in the amount of \$87,000 (\$20,000 per year for the fireworks show and \$9,000 per year for tug and barge services), for the fireworks shows at the Marina Bay Park on July 3, 2016, through 2018 - Recreation Department (Rochelle Monk - 620-6511).
- H-6.** APPROVE the purchase of closed-circuit television (CCTV) equipment from Halifax Security, Inc. to maintain the department's existing system in an amount not to exceed \$45,000 - Police Department (Police Chief Allwyn Brown 621-1802).
- H-7.** APPROVE the purchase of 46 Scott Dual Emergency Breathing System Retrofit Kits from Industrial Safety Supply Corporation in the amount of \$29,491.64 - Fire Department (Chief Adrian Sheppard 307-8041).
- H-8.** RECEIVE a report on the Richmond Municipal Sewer District for the month of February 2016 - Utilities Department (Ryan Smith 620-5486).
- H-9.** APPROVE an agreement with California PV Energy 2, LLC ("Constellation") related to an easement for underground storm drain pipelines held by the City of Richmond on the property at 850 Marina Bay Parkway, owned by the California Department of Public Health, which will facilitate the installation, operation and maintenance of solar panels on this property by Constellation - Utilities Department (Ryan Smith 620-5486/Joanne Le 621-1214).
- H-10.** APPROVE a second amendment to the contract with D.M.G. Janitorial Services for park restroom cleaning services, increasing the contract by \$9,000 to cover the costs of servicing the new restroom at the Marina Bay Park, for a total contract amount not to exceed \$99,240, while maintaining the June 30, 2016, expiration date - Public Works Department (Yader A. Bermudez 774-6300).
- H-11.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Sections 9.20.150 and 9.20.155 to update the solid waste collection rates to reflect an: (1) annual CPI rate adjustment of 2.56 percent that took place on January 1, 2016; (2) expansion of the senior discount to include the 20 gallon mini-can service; and (3) approval of \$0.20 per month surcharge on residential accounts resulting from the high 2015 bulky item participation rate that exceeded the 2015 bulky item program budget - City Manager's Office (Shasa Curl/Adam Lenz 620-5537).
- H-12.** APPROVE actions to update the Economic Development Commission:
APPOINT Dexter Vizinau, re-appointment, seat #9, term expiring March 30, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).

- H-13.** APPROVE appointments for the Environmental and Community Investment Agreement (ECIA) Grant Review Ad Hoc Committee: APPOINT Lisa Stevenson-Johnson, new appointment, seat #1, term expiring April 30, 2017; Carol Hegstrom, new appointment, seat #2, term expiring April 30, 2017; Nancy Baer, new appointment, seat #3, term expiring April 30, 2017; Joseph Lorenz, new appointment, seat #4, term expiring April 30, 2017; Monica Lazo, new appointment, seat #5, term expiring April 30, 2017 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-14.** APPROVE actions to update the Commission on Aging: APPOINT LaVetta Jean Coleman, new appointment, seat #11, term expiring May 19, 2017 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-15.** ADOPT a resolution in support of the CyberTran International Inc., Ultra-Light Rail Transit System and to request a letter of support from Congressman DeSaulnier - Councilmember Jovanka Beckles (620-6568).
- H-16.** ADOPT a resolution in opposition of the shipment of coal through the proposed marine terminal at the Port of Oakland, and in support of California Senate Bills 1277 and 1279 (Senator Hancock) - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-17.** APPROVE the minutes of the regular City Council meeting held Tuesday, March 22 and April 5, 2016 - City Clerk's Office (Pamela Christian 620-6513).

I. ORDINANCES

- I-1.** INTRODUCE an ordinance (first reading) to amend Chapter 7.102 of the Richmond Municipal Code allowing and setting minimum standards for medical marijuana cultivation and marijuana businesses - Police Department (Chief Allwyn Brown 621-1802) and City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- I-2.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Chapter 3.54 entitled "Citizens Police Review Commission Ordinance" to require the Investigative Officer to conduct an investigation in the event of death or serious bodily injury resulting from direct police action - City Attorney's Office (Bruce Reed Goodmiller 620-6509).

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

K. 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.