



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, December 6, 2016

Link to City Council Agendas/Packets
<http://sireweb.ci.richmond.ca.us/sirepub/meet.aspx>
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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

Jaycine Scott
Tanise Smith

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 BEFORE
CLOSED SESSION**

5:30 p.m.

- A. **ROLL CALL**
- B. **PUBLIC COMMENT BEFORE CLOSED SESSION**
- C. **ADJOURN TO CLOSED SESSION**

CLOSED SESSION

Shimada Room of the Community Services Building

- A. **CITY COUNCIL**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

Title: City Attorney

LIABILITY CLAIMS - (Government Code Section 54956.9):

Khang Vu vs. City of Richmond

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

Agency designated representatives: Bill Lindsay, Lisa Stephenson, Bruce Soublet, and Kim Greer.

Employee organizations: Richmond Police Officers Association (RPOA) and Richmond International Association of Firefighters (IAFF, Local 188).

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 Kennedy High School Eagles Varsity Football team for an impressive 10-1 season and for winning the North Coast Section playoff game - Councilmember Jael Myrick (620-6636) and Mayor Tom Butt (620-6503).
 - E-2.** PROCLAMATION recognizing the Human Rights Human Relations Commission and National Human Rights Day - Councilmember Vinay Pimplé (412-2050) and 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 two-year, grant-funded contract with Reverend Donnell Jones at a cost of \$60,000 per year, to provide Civilian Police Review Authority services for oversight of public, non-profit, and faith-based partners in connection with the violence prevention/reduction Richmond Ceasefire program - Police Department (Chief Allwyn Brown 621-1802).
 - I-2.** APPROVE the rejection of all bids received for the maintenance dredging for the Point Potrero Marine Terminal and the Richmond Ferry Terminal Project - Port Department (Jim Matzorkis 215-4600).

- I-3.** APPROVE the purchase of library materials for the Richmond Public Library from Baker and Taylor, Inc., (B&T) in an amount not to exceed \$1,500,000 over a three-year period ending December 31, 2019 with a two-year optional extension, and APPROVE the purchase of a subscription for catalog records, for all library materials, from Online Computer Learning Center, Inc. (OCLC), in an amount not to exceed \$125,000 over a three-year period with a two-year optional extension - Library and Cultural Services Department (Katy Curl 620-6554 / Wylendia Eastman 620-6963).
- I-4.** APPROVE actions to update the Commission on Aging; ANNOUNCE the vacancy of Seat #3 previously held by Joan Dill, term expiration April 28, 2017; and DIRECT the City Clerk to post the vacancy - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-5.** AUTHORIZE the City Manager's Office to enroll in the National Research Center's National Citizen Survey Program in order to conduct a 2017 survey of City of Richmond residents at a cost not to exceed \$30,000 - City Manager's Office (Bill Lindsay 620-6512).
- I-6.** ACCEPT \$47,511 in grant funds from the Bay Area Air Quality Management District for the installation of two electric vehicle charging stations to be located at 4300 Cutting Boulevard, and 256 24th Street; APPROPRIATE these funds into the Fiscal Year 2016/17 budget; APPROPRIATE \$19,476 in required local matching funds; and APPROVE a contract with Chargepoint and with Net Electric for the installation, equipment, and servicing of both electric vehicle charging stations - City Manager's Office (Bill Lindsay 620-6512/Lori Reese-Brown 620-6869).
- I-7.** AUTHORIZE the City Manager to enter into an Exclusive Right to Negotiate (ERN) with the SAA-EVI Richmond Partners, LLC for the development of the 12th and Macdonald site - City Manager's Office (Shasa Curl/Mike Uberti 620-6512).
- I-8.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Section 2.50 (Business Opportunity Ordinance) to extend the expiration date to December 31, 2020 - Employment and Training Department (Sal Vaca 307-8006).
- I-9.** ADOPT an ordinance (second reading) adjusting and setting the fees as outlined in the proposed Richmond Fire Department Prevention Services Division Fee Schedule - Fire Department (Chief Adrian Sheppard 307-8161).
- I-10.** ADOPT an ordinance (second reading) updating and amending Chapter 8.16 of the Richmond Municipal Code that pertains to Fire Prevention, including incorporating the 2016 California Fire Code and 2015 International Fire Code - Fire Department (Chief Adrian Sheppard 307-8041).

- I-11.** APPROVE a partially grant-funded (\$10,000) contract with ELock Technologies, LLC to purchase, install and maintain a quadrant of electronic bicycle lockers at the Family Justice Center in the amount of \$15,602.68 - Infrastructure Maintenance and Operations (Tim Higare 620-6508/Craig Murray 307-8188).
- I-12.** APPROVE a three-year Amended and Restated License Agreement with Nematode Holdings, LLC to lease City-Owned property at 2100 Stenmark Drive at Point Molate from December 1, 2016 to November 30, 2019, for the storage of miscellaneous equipment and material - Department of Infrastructure Maintenance and Operations (Craig Murray 307-8188/Tim Higare 620-6508).
- I-13.** RECEIVE a report on the Richmond Municipal Sewer District for the month of September 2016 - Water Resource Recovery Department (Ryan Smith 620-5486).
- I-14.** APPROVE the first amendment to Ground Lease with the West County Wastewater District providing property for City of Richmond wastewater treatment plant biosolids drying and disposal - Water Resource Recovery Department (Ryan Smith 620-5486).
- I-15.** APPROVE a contract with Sports Time Officials to provide officiating services for adult and youth sports programs provided by the Community Services Department in an amount not to exceed \$25,000, and for a term beginning December 1, 2016, and ending December 31, 2019 - Community Services (Rochelle Monk/Ranjana Maharaj 620-6511).
- I-16.** APPROVE an amendment to the existing contract with Antea Group to configure their iEHS software for mitigation and conditions of approval compliance tracking related to the Chevron Modernization Project, increasing the payment limit by \$100,000 for an amount not to exceed \$125,000, to be paid for by Chevron - Planning and Building Services Department (Richard Mitchell/Lina Velasco 620-6706).
- I-17.** APPROVE the minutes of the regular City Council meeting held Tuesday, November 1, 2016 - City Clerk's Office (Pamela Christian 620-6513).

J. PUBLIC HEARINGS

- J-1.** HOLD a public hearing; ADOPT a resolution certifying the Richmond Bay Specific Plan Environmental Impact Report (EIR) (State Clearinghouse #2014092082), adopting a Statement of Overriding Consideration, Mitigation Monitoring and Reporting Program and approving a General Plan Amendment; and INTRODUCE an ordinance (first reading) repealing the Knox-Cutting Specific Plan, adopting the Richmond Bay Specific Plan, and approving a Zoning Map Amendment - Planning and Building Services Department (Richard Mitchell/Lina Velasco 620-6706).

K. RESOLUTIONS

- K-1.** ADOPT a resolution of the Richmond City Council in response to the 2016 U.S. Presidential election: REAFFIRMING support for our sanctuary policies, CONDEMNING violence, hate crimes, and hate speech against all those targeted for their ethnicity, race, religion, disability and/or sexual orientation, and REEMPHASIZING our commitment to combat climate change - (Councilmember Gayle McLaughlin 620-5431, Councilmember Jovanka Beckles 620-6568, and Vice Mayor Eduardo Martinez 620-6593).

L. ORDINANCES

- L-1.** INTRODUCE an ordinance (first reading) adding Chapter 11.102 of the Richmond Municipal Code entitled Relocation Requirements for Tenants of Residential Rental Units - City Manager's Office (Bill Lindsay 620-6512).
- L-2.** INTRODUCE an ordinance (first reading) adding Chapter 7.110 to the Richmond Municipal Code entitled "Fair Chance Access to Affordable Housing" requiring providers of affordable housing to ensure equal opportunity for housing applicants with past criminal convictions - Housing and Community Development (Tim Jones 621-1310).
- L-3.** INTRODUCE an ordinance (first reading) adding Chapter 14.56 to the Richmond Municipal Code (RMC) to establish a Neighborhood Permit Parking Program (NPP) that is intended to provide parking restrictions in residential communities located near major employers, colleges, medical institutions and those impacted by commuter spillover parking - City Manager's Office (Bill Lindsay 620-6512/Denée Evans 621-1718).

M. COUNCIL AS A WHOLE

- M-1.** APPOINT a general employee representative to the Personnel Board from the following panel of three nominees elected at the Personnel Board Election held October 26, 2016, to November 9, 2016: (1) Robert Davila, (2) Charles Smith, and (3) Pamela Saucer-Bilbo - City Clerk's Office (Pamela Christian 620-6513). **This item was continued from the November 15, 2016, meeting.**
- M-2.** REVIEW the fiscal year 2016-17 first quarter operating and capital improvement budget and APPROVE the proposed fiscal year 2016-17 budget adjustments - City Manager and Finance Department (Bill Lindsay/Belinda Warner 620-6740).

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

O. 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.