



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, December 20, 2016

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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**

5:00 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

CITY COUNCIL

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

Title: City Attorney

LIABILITY CLAIMS - (Government Code Section 54956.9):

Oscar Jones v. City of Richmond

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

Agency designated representatives: Bill Lindsay, Lisa Stephenson, Bruce Soublet, and Maria Blue.

Employee organizations: Richmond Police Management Association (RPMA); Richmond Police Officers Association (RPOA); and Service Employees International Union (SEIU, Local 1021).

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: Point Potrero Marine Terminal formerly known as Shipyard #3
Agency negotiator: Jim Matzorkis
Parties: Pantec Group and Anne Koenig
Under negotiation: price and terms of payment

**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. APPROVE a contract amendment with Bay Alarm Company for burglar and fire alarm monitoring services, increasing the payment limit by \$10,000 to \$30,000, and extending the term to June 30, 2019. (This item was reviewed and recommended for approval by the Housing Advisory Commission at its meeting of December 12, 2016.) - Richmond Housing Authority (Tim Jones 621-1310).

F-2. ADOPT a resolution approving a contract amendment with A Step Above for elevator maintenance services, increasing the payment limit by \$40,000 to a not to exceed amount of \$50,000, and extending the term to June 30, 2019. (This item was reviewed and recommended for approval by the Housing Advisory Commission at its meeting of December 12, 2016.) - Richmond Housing Authority (Tim Jones 621-1310).

F-3. ADOPT a resolution approving a 2nd contract amendment with Net Electric for electrical maintenance services at Housing Authority Public Housing Developments, increasing the payment limit from \$10,000 to \$30,000, and extending the term to June 30, 2019. (This item was reviewed and recommended for approval by the Housing Advisory Commission at its meeting of December 12, 2016.) - Richmond Housing Authority (Tim Jones 621-1310).

G. ADJOURNMENT

**REGULAR MEETING OF THE SUCCESSOR AGENCY TO THE
RICHMOND COMMUNITY REDEVELOPMENT AGENCY AND
RICHMOND CITY COUNCIL**

6:30 p.m.

- A. ROLL CALL**
- B. STATEMENT OF CONFLICT OF INTEREST**
- C. AGENDA REVIEW**
- D. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**
 - D-1.** ANNOUNCE City of Richmond Boards and Commissions vacancies as of December 20, 2016, and ask that interested residents send applications to the City Clerk - Office of the Mayor (Mayor Tom Butt 620-6503).
 - D-2.** INTRODUCE the first place winners of the 2016 Junior Fire Prevention Program - Fire Department (Chief Adrian Sheppard 307-8041).
- 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 authorizing the execution of an Environmental Remediation Reimbursement Agreement with Terminal One Development, LLC for the remediation of the Terminal One site - Successor Agency to the Richmond Community Redevelopment Agency (Bill Lindsay 620-6976).
- I. CITY COUNCIL CONSENT CALENDAR**
 - I-1.** ADOPT a resolution Declaring the Canvass of Returns and Result of the General Municipal Election held on November 8, 2016 - City Clerk's Office (Pamela Christian 620-6513).

- I-2.** APPROVE a grant-funded contract with AAA Fence Company, Inc. for repair and replacement of chain link fence surrounding the tennis courts at Nicholl Park in an amount not to exceed \$31,765.00. The contract term will be from December 21, 2016, to June 30, 2017 - Infrastructure Maintenance and Operations Department (Tim Higaes 231-3008).
- I-3.** APPROVE the purchase of one (1) 2017 Ford Transit Vanwagon from Towne Ford in an amount not to exceed \$34,000 - Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).
- I-4.** 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: 1) an annual Consumer Price Index rate adjustment of three percent (3.00%) that will go into effect on January 1, 2017; and 2) approval of \$.12 per month surcharge on residential accounts resulting from the high 2016 bulky item participation rate that exceeded the 2016 bulky item program budget - City Manager's Office (Shasa Curl/Adam Lenz - 620-5537).
- I-5.** APPROVE the recommendation by the Recreation and Parks Commission to approve naming and associated signage of the Plunge garden "Hurlbut Tennis and Garden Park" - Community Services Department (Rochelle Monk 620-6511).
- I-6.** APPROVE a contract with Tactical K9, LLC for maintenance training for the Police Department's canine unit from January 1, 2017 to December 31, 2018, in the amount of \$30,500 per year, for a total amount not to exceed \$61,000; and an option to renew for two (2) years by means of mutual agreement of both parties - Police Department (Chief Allwyn Brown 621-1802).
- I-7.** APPROVE the purchase of one (1) 185 cfm Air Compressor from Multiquip, in an amount not to exceed \$20,000 - Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).
- I-8.** APPROVE the facilities sublease between the City of Richmond and the Maritime Safety and Security Center (MSSC) for office space located at 756 West Gertrude Avenue in Richmond for fire training and professional development exercises at a cost not to exceed \$30,000 over a five-year period commencing September 1, 2016, and ending August 1, 2021 - Fire Department (Chief Adrian Sheppard - 307-8041).
- I-9.** APPROVE a construction agreement with Sebastopol Construction Services, Inc. to complete pavement repairs at the Point Potrero Marine Terminal for a total cost not to exceed \$414,507 - Port Department (Jim Matzorkis 215-4600).

- I-10.** APPROVE the purchase of a Schwarze Model A9000 Monsoon Street Sweeper from Atlantic Machinery, Inc., in an amount not to exceed \$285,000 - Department of Infrastructure Maintenance and Operations (Tim Higares 231-3008).
- I-11.** RECEIVE a report on the Richmond Municipal Sewer District for the month of October 2016 - Water Resource Recovery Department (Ryan Smith 620-5486).
- I-12.** APPROVE the Labor Management Workers' Compensation Alternative Dispute Resolution (ADR) Agreement between the City of Richmond (City) and the Richmond Police Officers Association (RPOA), and the Cost Savings Agreement associated with the ADR - Human Resources Department (Lisa Stephenson/ Kim Greer 620-6605).
- I-13.** APPROVE the Labor Management Workers' Compensation Alternative Dispute Resolution (ADR) Agreement between the City of Richmond (City) and the International Association of Fire Fighters Local 188 (Local 188), and the Cost Savings Agreement associated with the ADR - Human Resources Department (Lisa Stephenson/ Kim Greer 620-6605).
- I-14.** ADOPT a resolution recognizing International Federation of Professional and Technical Engineers' (IFPTE) Local 21 as the sole and exclusive bargaining agent for Executive Management employees pursuant to the Employer-Employee Relations Resolution (EERR) #134-96 - Human Resources Management (Lisa Stephenson 620-6609).
- I-15.** ADOPT an ordinance (second 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-16.** ADOPT an ordinance (second 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).
- I-17.** ADOPT an ordinance (second reading) repealing the Knox-Cutting Specific Plan, adopting the Richmond Bay Specific Plan, and approving a Zoning Map Amendment, subject to conditions - Planning and Building Services (Richard Mitchell 620-6706).
- I-18.** ADOPT a resolution approving the application to the State of California Department of Parks and Recreation Youth Soccer and Recreation Development Program for funding to renovate the basketball court at Unity Park - Community Services (Rochelle Monk 620-6511).

- I-19.** ADOPT a resolution approving the application to the State of California Department of Parks and Recreation Youth Soccer and Recreation Development Program for funding to renovate the basketball court at John F. Kennedy Park - Community Services (Rochelle Monk 620-6511).
- I-20.** APPROVE the minutes of the regular City Council meetings held Tuesday, November 15 and 22, 2016 - City Clerk's Office (Pamela Christian 620-6513).
- I-21.** APPROVE actions to update the Human Rights Human Relations Commission; APPOINT: Victoria Sawicki, seat #6, term expiring March 30, 2017 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-22.** APPROVE actions to update the Citizens Police Review Commission; APPOINT Yenny Garcia, seat #4, term expiration November 1, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-23.** ADOPT a resolution approving the execution of two repayment agreements with the U.S. Department of Housing and Urban Development (HUD) for unsupported and/or ineligible project costs relating to the Community Development Block Grant, HOME, and Neighborhood Stabilization Program 1 programs - Housing and Community Development Department (Tim Jones 621-1310).
- I-24.** ADOPT a resolution approving the installation of a four-way stop at the intersection of 8th Street and Bissell Avenue near Leadership Public School within the Santa Fe Neighborhood area - Engineering and Capital Improvement Projects (Yader Bermudez 774-6300/Steven Tam 307-8091).
- I-25.** ADOPT a resolution approving the 2015-2016 Consolidated Annual Performance and Evaluation Report (CAPER) for submission to the U.S. Department of Housing and Urban Development (HUD) - Housing and Community Development Department (Tim Jones 621-1310).
- I-26.** APPROVE a Second Amendment to the Employment Agreement between the City of Richmond and Bruce Reed Goodmiller to extend the term of the agreement to December 31, 2019, and to revise the annual performance evaluation section of the agreement - City Manager's Office (Bill Lindsay 620-6512).
- I-27.** APPROVE a lease agreement with the United States House of Representatives to allow Congressman Mark DeSaulnier to continue to utilize approximately 845 square feet of office space on the second floor of 440 Civic Center Plaza as his West County 11th Congressional District offices. The lease agreement is for \$845 per month (\$10,140 per year) and for a two-year term ending January 2019 - City Manager's Office (Bill Lindsay 620-6512).

- I-28.** ACCEPT and APPROPRIATE \$30,500 in grant funds from KaBOOM to fund the Mathieu Court Alley Play Street Project in Fiscal Year 2016-2017; and APPROVE the City Manager to enter into an Agreement with the Richmond Art Center for \$22,000 to assist in implementation of the Project - Planning and Building Services Department (Richard Mitchell 307-8159).

J. ORDINANCES CONTINUED ITEMS

- J-1.** 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). **This item was continued from the December 6, 2016, meeting.**

K. COUNCIL AS A WHOLE CONTINUED ITEMS

- K-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 Bilbo-Saucer - City Clerk's Office (Pamela Christian 620-6513). **This item was continued from the November 15 and December 6, 2016, meeting.**
- K-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). **This item was continued from the November 15, 2016, meeting.**
- K-3.** RECEIVE a presentation on the design of the grant-funded Carlson Boulevard Crosstown Connection pedestrian and bicycle improvements project and DIRECT staff to advertise this construction contract - Engineering and Capital Improvement Projects (Yader Bermudez/Tawfic Halaby 621-1612). **This item was continued from the November 15, 2016, meeting.**

L. RICHMOND FAIR RENT, JUST CAUSE FOR EVICTION, HOMEOWNER PROTECTION ORDINANCE IMPLEMENTATION ITEMS

ADOPT a resolution approving the fiscal year 2016-17 Rent Board interim budget, and authorize the City Manager to enter into a reimbursement agreement with the Rent Board for any funds advanced by the City - City Manager's Office (Bill Lindsay 620-6512).

ADOPT a resolution approving the 2016 Annual General Adjustment in accordance with Section 11.100.070(b)(3) of the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance - City Manager's Office (Bill Lindsay 620-6512).

ADOPT an ordinance (second reading) adding Chapter 11.102 of the Richmond Municipal Code entitled Relocation Requirements for Tenants of Residential Rental Units; and ADOPT a resolution establishing the amount of Permanent and Temporary Relocation Payments - City Manager's Office (Bill Lindsay 620-6512).

M. PUBLIC HEARINGS

M-1. ADOPT a resolution approving the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the City of Richmond Wastewater Treatment Plant and Collection System Improvements Project, as identified in the 2010 Sewer Collection System Master Plan, 2010 WWTP Master Plan, and 2016 WWTP Facility Plan - Water Resource Recovery Department (Ryan Smith 620-5486).

N. STUDY SESSION

N-1. RECEIVE a presentation on the proposed revised process for implementing the Fiscal Year 2017-18 Environmental and Community Investment Agreement (ECIA) competitive grant program and PROVIDE direction on key program components - City Manager's Office (Bill Lindsay/LaShonda White 620-6828).

N-2. RECEIVE a report on the Greenhouse Gas (GHG) and community programs developed and implemented with fiscal year 2015-16 Environmental & Community Investment Agreement (ECIA) funds and APPROVE the fiscal year 2015-2016 ECIA annual report - City Manager's Office (Bill Lindsay 620-6512).

O. RESOLUTIONS

O-1. ADOPT a resolution requesting the development of a horse boarding facility at the Point Pinole Regional Shoreline Park - Office of the Mayor (Mayor Tom Butt 620-6503).

P. COUNCIL AS A WHOLE

- P-1.** DIRECT the City Manager to initiate actions on behalf of the Richmond City Council for possible withdrawal by the City of Richmond from the West Contra Costa Integrated Waste Management Authority ("RecycleMore") - City Manager's Office (Bill Lindsay 620-6512).
- P-2.** DIRECT staff to furnish hiring personnel with the different total costs of prospective classic PERS and PEPRA employees during the hiring process - (Councilmember Vinay Pimplé 412-2050 and Councilmember Jael Myrick 620-6636).
- P-3.** DIRECT staff to compare the taxes imposed by Richmond and Bay Area Cities on the cultivation, manufacturing and sale of marijuana and marijuana infused products; 2) and research if a tax on gross receipts complies with the equal protection clause when a small set of business are licensed to engage in all three stages of business: cultivation, manufacturing, and sale - (Councilmember Vinay Pimplé 412-2050).
- P-4.** DIRECT staff to explore the ways in which the Trump Administration may seek to punish cities like ours by withholding federal program funds or federal grants. Staff is also directed to explore ways that we can protect the city and its residents from such actions, while still maintaining our values - (Councilmember Vinay Pimplé 412-2050).
- P-5.** DIRECT staff to report on the financial operations and potential of the auditorium, including potentially leasing the auditorium to a private management company - (Councilmember Vinay Pimplé 412-2050).

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

R. 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.