



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, March 7, 2017

Link to City Council Agendas/Packets
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Mayor
Thomas Butt

Vice Mayor
Jovanka Beckles

Councilmembers

Ben Choi
Eduardo Martinez
Gayle McLaughlin
Jael Myrick
Melvin Willis

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 up to TWO (2) MINUTES to address the City Council on NON-PUBLIC HEARING items listed on the agenda. Speakers are allowed up to THREE (3) minutes on PUBLIC HEARING items.**

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

- A. **CITY COUNCIL**
 - A-1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

Title: City Clerk
 - A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):

One case
 - A-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: Barrett Avenue
Agency Negotiators: Bill Lindsay, Richard Mitchell, and Tim Higaes
Negotiating Party: Orton Development
Under Negotiation: Price and term of payment

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. **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. **CITY COUNCIL CONSENT CALENDAR**
 - H-1. APPROVE an amendment to the contract with Bay Area Resource Center to provide instruction and capacity-building courses for new and small Richmond-based construction contractors as part of the RichmondBUILD program. The contract term will be from August 1, 2015 through June 30, 2018. The contract amount will be increased by \$42,000 for a total contract amount not to exceed \$157,000.00 - Employment and Training Department (Sal Vaca 307-8006).
 - H-2. APPROVE the purchase of twenty (20) self-contained breathing apparatus (SCBA) 45-minute cylinders from Allstar Fire Equipment, Inc. in the amount of \$19,491 - Fire Department (Chief Adrian Sheppard 307-8041).
 - H-3. APPROVE a contract amendment with AMEC Foster Wheeler Environment and Infrastructure, Inc., increasing the contract by \$195,000, for an amount not to exceed \$205,000 through December 31, 2018, to assist in preparing documentation and data for the San Francisco Bay Regional Water Quality Control Board (RWQCB) to modify the existing Clean-up Order on the Terminal One site to align it with the residential project approved by the City Council, and to assist the City in complying with the remaining requirements of the order. Funding for the project is from clean-up funds derived from the settlement agreement with the previous industrial tenants that occupied the property - Planning and Building Services Department (Richard Mitchell 307-8159).

- H-4.** APPROVE a contract with R3 Consulting Group to assist in the five-year compliance review of the conditional use permit for the Bulk Materials Processing Center and associated facilities, for an amount not to exceed \$45,000 and for a term ending June 30, 2018, with funding provided by permit holder West County Landfill, Inc. - Planning and Building Services Department (Richard Mitchell 307-8159).
- H-5.** ADOPT a resolution authorizing the city manager to submit an application for the 2016 funding round of the Department of Housing and Community Development Housing-Related Parks Program and enter into a funding agreement with the State of California, if the application is approved - Planning and Building Services Department (Richard Mitchell 307-8159).
- H-6.** ADOPT a resolution authorizing the city manager to execute all required contracts and agreements with the State of California to receive a State Coastal Conservancy Grant of \$500,000 to implement a multi-benefit urban greening project in the City's Iron Triangle neighborhood; and APPROPRIATE the \$500,000 funding into the Engineering and Capital Improvement budget - Engineering and Capital Improvement Department (Yader A. Bermudez 774-6300).
- H-7.** ADOPT a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records - Finance Department (Belinda Warner/Antonio Banuelos 620-6741).
- H-8.** RECEIVE the City's Investment and Cash Balance Report for the month of January 2017 - Finance Department (Belinda Warner/Latha Ravinder 620-6739).
- H-9.** ACCEPT and APPROPRIATE grant-funds in the amount of \$204,137 under the California Governor's Office of Emergency Services (CALOES) Violence Against Women Act; and APPROVE the continuation of a contract between the Richmond Police Department and STAND! For Families Free of Violence for on-site advocates to assist victims of domestic violence, sexual assault and human trafficking, for the period of January 1, 2017, to December 31, 2017, in an amount not to exceed \$95,134 - Police Department (Chief Allwyn Brown 621-1802).
- H-10.** APPROVE a contract with Advance Peace (fiscal agent Safe Passages) to provide consulting services to assist the City with Office of Neighborhood Safety (ONS) core operating, programming, evaluation, communications, resource development and quality control functions in an amount not to exceed \$62,280 for a term from January 1, 2017, through June 30, 2017 - City Manager's Office (Bill Lindsay 620-6512).

- H-11.** RECEIVE a written report from the County Environmental Health Division regarding updates related to regulatory actions taken at the West Contra Costa Sanitary Landfill Organic Materials Processing Facility ("compost facility") in Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-12.** APPOINT the following individuals to the Rent Board: Edith Alderette-Sellers, new appointment, seat #1, term expiring March 7, 2019, Scott Anderson, new appointment, seat #2, term expiring March 7, 2019, Lauren Maddock, new appointment, seat #3, term expiring March 7, 2019, Phillip Mitchell, new appointment, seat #4, term expiring March 7, 2019, Geraldine St. Cyr, new appointment, seat #5, term expiring March 7, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).

I. RESOLUTIONS

- I-1.** ADOPT a resolution in support of Senate Bill (SB) 300 which requires that a health warning label be placed on sugar-sweetened beverages (SSBs) sold in California that contain added sweeteners and 75 calories or more per 12 ounces - Councilmembers Eduardo Martinez (620-6593), Gayle McLaughlin (620-5431), and Mayor Tom Butt (620-6503).
- I-2.** ADOPT a resolution authorizing City of Richmond co-sponsorship and use of the Richmond Auditorium on April 6, 2017, for a "Know Your Rights" educational forum to inform and provide information to our undocumented immigrant community - Councilmember Gayle McLaughlin (620-5431).
- I-3.** ADOPT a resolution celebrating the Tibetan Community Center located in Richmond, honoring 2017 as the worldwide Tibetan Action Year, and urging the Chinese government to engage in dialogue to peacefully resolve the conflict in Tibet - Councilmember Gayle McLaughlin (620-5431) and Mayor Tom Butt (620-6503).

J. ORDINANCES

- J-1.** INTRODUCE an ordinance (first reading) adding Chapter 11.46 of Article XI of the City of Richmond Municipal Code establishing regulations concerning the use of unmanned aircraft systems (drones) in Richmond - Police Department (Chief Allwyn Brown 621-1802). **This item was continued from the February 21, 2017, meeting.**

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

L. 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.*