



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, June 6, 2017

Link to City Council Agendas/Packets
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Mayor
Thomas K. 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

CITY COUNCIL

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to Subdivision (b) of Government
Code Section 54956.9):

One Case

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

Property: General Warehouse - Port of Richmond
Agency negotiators: Bill Lindsay and Jim Matzorkis
Negotiating party: (i) Orton Development; and (ii) Richmond Grown LLC
Under negotiation: Price and terms of payments

Property: (former) Cafeteria Building - Port of Richmond
Agency negotiators: Bill Lindsay, Jim Matzorkis
Negotiating parties: (i) Power Plant LLC; and (ii) Golden Gate Meat Company/Up
& Under Pub and Grill
Under negotiation: Price and terms 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 the Green Infrastructure Framework as an outline of the Green Infrastructure Plan which addresses pollutants of concerns from urban storm-water runoff, in order to maintain compliance with the Municipal Regional Permit - Water Resource Recovery Department (Ryan Smith 620-5486/Joanne Le 620-6540).
 - H-2. RECEIVE a report on the Richmond Municipal Sewer District for the month of April 2017 - Water Resource Recovery Department (Ryan Smith 620-5486).
 - H-3. ADOPT a resolution to accept and appropriate \$83,155 in funding from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program awarded to the Richmond Police Department for the purchase of police safety equipment - Police Department (Chief Allwyn Brown 621-1802).
 - H-4. ADOPT a resolution authorizing submittal of the Measure J 2014 and 2015 "Growth Management Program Compliance Checklist" to the Contra Costa County Transportation Authority (CCTA) to allow the City of Richmond to receive its allocation of Fiscal Year 2015-16 and 2016-17 Local Street Maintenance and Improvement Funds - Planning and Building Services Department (Richard Mitchell 620-6706).
 - H-5. DESIGNATE Mayor Tom Butt as voting delegate to represent the City of Richmond at the Annual Business Meeting of the League of California Cities' 2017 Annual Conference, to be held at the Convention Center in Sacramento, Wednesday, September 13 through Friday, September 15, 2017 - City Clerk's Office (Pamela Christian 620-6513).

- H-6.** APPROVE the minutes of the May 16, 2017, regular meeting of the Richmond City Council - City Clerk's Office (Pamela Christian 620-6513).
- H-7.** ADOPT a resolution renewing and continuing the local emergency on Rifle Range Road due to landslide damage, which was first adopted by the City Council on March 7, 2017 - Engineering and Capital Improvement Projects Department (Yader Bermudez 620-5478).
- H-8.** ADOPT a resolution renewing and continuing the local emergency on Via Verdi due to landslide damage, which was first adopted by the City Council on February 28, 2017 - Engineering and Capital Improvement Projects Department (Yader Bermudez 620-5478).
- H-9.** APPROVE an on-call contract for concrete sidewalk repair services with Precision Concrete Cutting in an amount not to exceed \$100,000 per year for three years from fiscal year 2017/18 to 2019/20 - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 620-5478/Andy Yeung 307-8108).
- H-10.** RECEIVE the Investment and Cash Balance Report for the month of April 2017 - Finance Department (Belinda Warner/Latha Ravinder 620-6739).
- H-11.** INTRODUCE an ordinance (first reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2017-18 at 0.14% - Finance Department (Belinda Warner/Antonio Banuelos 620-6741).
- H-12.** ADOPT a resolution authorizing a twelve-month Business License Tax Amnesty Program from July 2017 through June 2018 allowing businesses with unpaid business license taxes and transient occupancy taxes, including hotels, motels, and short term rentals such as Airbnb rentals, the opportunity to comply with Richmond Municipal Code (RMC) Section VII, Chapters 7.04 and 7.88, without the necessity of paying penalties and interest - Finance Department (Belinda Warner/Antonio Banuelos 620-6741).
- H-13.** APPROVE actions to update the Economic Development Commission; APPOINT Demnlus Johnson, new appointment, seat #1, filling an unexpired term with an expiration date of March 30, 2018 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-14.** APPROVE actions to update the Design Review Board; APPOINT Michael Hannah, new appointment, seat #1, expiration date March 17, 2019, Bhavin Khatri, new appointment, seat #2, expiration date March 17, 2019, Jonathan Livingston, re-appointment, seat #4, expiration date March 17, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).

- H-15.** APPROVE actions to update the Commission on Aging; APPOINT Rose Brooks, re-appointment, seat #6, expiration date of May 19, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-16.** APPROVE actions to update the Youth Council; APPOINT Nayeli Hernandez, new appointment, seat #4, expiration date October 1, 2017- Office of the Mayor (Mayor Tom Butt 620-6503).
- H-17.** ADOPT a resolution in support of Assembly Bill 1360, Assembly Bill 1478, and Senate Bill 808 in the California State Legislature to assure charter school accountability and transparency, and to address local control of charter schools in California - Councilmember Gayle McLaughlin (620-5431).
- H-18.** ADOPT a resolution denouncing the presidential executive order to build a wall along the U.S. - Mexico border and recommending that the City of Richmond not do business with or contract with any companies involved in the construction of a border wall - Councilmember Gayle McLaughlin (620-5431).

I. BUDGET SESSION

- I-1.** RECEIVE presentations from department representatives, providing an overview of their proposed operating budgets for Fiscal Year 2017-18, and the Capital Improvement Plan for Fiscal Year 2017-18 – Fiscal Year 2021-22; initiate a policy review of the operating and capital budgets, and provide direction to staff - Finance Department (Belinda Warner/Markisha Guillory 620-5434).

J. PUBLIC HEARINGS

- J-1.** INTRODUCE an ordinance regarding the City's intent to grant to Santa Fe Pacific Pipelines Partners, L.P. (SFPP) a 10 year franchise agreement to use or lay and use oil pipes and appurtenances for the purpose of transmitting and distributing oil and oil products within the City's rights-of-way for a period of ten years - Engineering and Capital Improvement Projects (Yader Bermudez 774-6300). **This item was continued from the May 2, 2017, meeting.**
- J-2.** INTRODUCE an ordinance (first reading) establishing certain fees for the proposed Master Fee Schedule - Finance Department (Belinda Warner/Antonio Banuelos 620-6741).

K. RESOLUTIONS

K-1. ADOPT a resolution in support of Assembly Bill 1578 (Jones-Sawyer), which would prohibit a state or local agency from assisting a federal agency to investigate, detain, detect, report or arrest a person for marijuana activity that is authorized by law in the State of California and transferring an individual to federal law enforcement authorities for purposes of marijuana enforcement, unless directed to do so by a court order - Councilmember Melvin Willis (412-2050) and Vice Mayor Jovanka Beckles (620-6568).

L. COUNCIL AS A WHOLE

L-1. CONSIDER extending the minimum wage phase-in period and increasing the minimum wage to \$15/hour in Richmond and DIRECT staff to present draft amendments to Ordinance No. 11-14 N.S. at the first City Council meeting in July - Councilmember Melvin Willis (412-2050), Councilmember Gayle McLaughlin (620-5431) and Vice Mayor Jovanka Beckles (620-6568).

L-2. DIRECT the City Manager to enter into a license agreement with Waterside Workshops for use of Building 87 at Pt. Molate Beach Park to expand their vocational training program targeted at underserved Richmond youth, with final terms to be approved by the City Manager, and with approval as to form by the City Attorney - Councilmember Gayle McLaughlin (620-5431) and Councilmember Ben Choi (620-6565).

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

N. 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.