



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, November 21, 2017

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Mayor
Thomas K. Butt

Vice Mayor
Jovanka Beckles

Councilmembers

Ben Choi
Eduardo Martinez
Jael Myrick
Ada Recinos
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. Councilmembers who request to remove an item from the consent calendar must first discuss the item with a staff member who has knowledge of the subject material **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. One or more designated staff members will be present in Council Chambers one hour prior to each Council meeting for this purpose.

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: Transit Village Phase 2
Agency negotiators: Bill Lindsay, Shasa Curl, Alan Wolken
Negotiating party: City Ventures, Wang Brothers Investments, LLC, and RAD
Urban
Under negotiation: Price and Terms

**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. AGENDA REVIEW

E. HOUSING AUTHORITY CONSENT CALENDAR

E-1. APPROVE a first amendment to the contract with Municipal Resource Group to continue providing consulting services to the Richmond Housing Authority, necessitated by the current vacancy in the Richmond Housing Authority Executive Director position, increasing the amount of the contract by \$100,000, for a total contract amount not to exceed \$205,264, and for a term extending to June 30, 2018 - City Manager's Office (Bill Lindsay 620-6512).

E-2. APPROVE the minutes of the special October 17, 2017, Richmond Housing Authority meeting - City Clerk's Office (Pamela Christian 620-6513).

F. ADJOURNMENT

REGULAR MEETING OF THE 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. PROCLAMATION declaring Saturday, November 25, 2017, as Small Business Saturday in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).

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 CONTINUED FROM THE NOVEMBER 7, 2017, MEETING

H-1. RECEIVE the City's Investment and Cash Balance Report for the month of September 2017 - Finance Department (Belinda Warner/Stacie Plummer 620-6930).

H-2. 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-3. APPROVE a three-year contract with PFM Solutions LLC to provide subscription services to its Whitebirch Financial Model Platform in an amount not to exceed \$35,000 - Finance Department (Belinda Warner 620-6740/Markisha Guillory 620-5434).

H-4. APPROVE the purchase of three 2018 Ford Utility Police Interceptors from San Leandro Ford Store for use by the Police Department, in an aggregate amount not to exceed \$90,000 - Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).

- H-5.** APPROVE the purchase of one 2017 Ford Super Duty F450 Supercab Mechanics Truck for use by the Water Resource Recovery Department from National Auto Fleet Group in an amount not to exceed \$115,000 - Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).
- H-6.** APPROVE the purchase of seven 2018 Ford Utility Police Interceptors, to be used as replacement patrol vehicles, from Hilltop Ford, in an aggregate amount not to exceed \$215,000 - Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).
- H-7.** APPROVE an agreement with Contra Costa County providing for Richmond Police to monitor AB109 probationers and parolees from July 1, 2017, through June 30, 2018; and ACCEPT and APPROPRIATE \$135,720 in AB109 Realignment funds to be received by the City of Richmond from Contra Costa County in exchange for these services - Police Department (Chief Allwyn Brown 621-1802).
- H-8.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Staff Attorney - Rent Program. This staff attorney only provides legal counsel to the Rent Board - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).
- H-9.** INTRODUCE an ordinance to establish the wages, salary, and compensation for the new classification of Staff Attorney - Rent Program. This staff attorney only provides legal counsel to the Rent Board. (Salary Range No. 3.1 \$9,024 - \$14,364/month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).
- H-10.** INTRODUCE an ordinance (first reading) to establish the wages, salary, and compensation for the new classification of Planning Manager (Salary Range No. 4.1 \$9,945 - \$15,830/ month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).
- H-11.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Planning Manager - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).
- H-12.** ADOPT an ordinance (second reading) to establish the wages, salary, and compensation for the new classification of Executive Director, Rent Program (Salary Range No. 3.1 \$9,024 - 14,364/month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).
- H-13.** ADOPT an ordinance (second reading) establishing the wages, salary, and compensation for the new classification of Deputy Director, Rent Program (Salary Range No. 2.1 \$8,087 - \$12,873/month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).

- H-14.** ADOPT an ordinance (second reading) establishing the wages, salary, and compensation for the new classification of Hearing Examiner, Rent Program (Salary Range No. 3.1 \$9,024 - \$14,364/month) - Human Resources Management Department (Lisa Stephenson 620-6600).
- H-15.** ADOPT an ordinance (second reading) adding Chapter 2.44 to the Richmond Municipal Code approving use of electronic and paperless filing of Fair Political Practices Commission Campaign Disclosure Statements filed by elected officials, candidates, and committees - City Clerk's Office (Pamela Christian 620-6513).
- H-16.** APPROVE the minutes of the October 3 and 17, 2017, regular meetings of the Richmond City Council - City Clerk's Office (Pamela Christian 620-6513).
- H-17.** APPROVE a grant-funded contract with The Watershed Project for project management services for the Greening the Last Mile project at the Richmond Greenway in an amount not to exceed \$139,467 - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).
- H-18.** ADOPT an ordinance (second reading) regarding the City's intent to grant to CHEVRON U.S.A. 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 10 years - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300).
- H-19.** ADOPT an ordinance (second reading) regarding the City's intent to grant to PHILLIPS 66 CO. 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 10 years - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300).
- H-20.** APPROVE a contract with Best Contracting Services, Inc. for re-roofing the Richmond Family Justice Center at 256 24th Street, Richmond, in an amount not to exceed \$210,000 - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).
- H-21.** ADOPT a resolution renewing and continuing the local emergency on Rifle Range Road due to landslide damage, which was first declared by the City Council on March 7, 2017 - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300/Tawfic Halaby 621-1612).
- H-22.** 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 774-6300/Tawfic Halaby 621-1612).

- H-23.** ADOPT a resolution approving parking regulations along Isabel Street and Central Avenue, to provide no parking between 11:00 PM and 5:00 AM, and unlimited parking between 5:00 AM and 11:00 PM - Engineering and Capital Improvement Projects (Yader Bermudez 774-6300/Steven Tam 307-8112).
- H-24.** ADOPT a Resolution of Intention for the proposed vacation of the Baxter Creek public access easement owned by City of Richmond at 11965 San Pablo Avenue in the City of El Cerrito, setting the matter for a public hearing on January 16, 2018 - Engineering and Capital Improvement Projects (Yader Bermudez 774-6300/Steven Tam 307-8112).
- H-25.** APPROVE a contract with Security Signal Devices, Inc. for intrusion and fire alarm system services for all City buildings, in an amount not to exceed \$400,000.00 and for a term for extending to November 15, 2020, with two City options to extend the contract for one year each - Engineering and Capital Improvement Projects (Yader A. Bermudez 774-6300).
- H-26.** ADOPT a resolution approving a grant-funded construction agreement with the James E. Roberts-Obayashi Corporation for the Miraflores Greenbelt- Baxter Creek Phase 1 Project to daylight Baxter Creek and restore the floodplain in an amount not to exceed \$2,100,660 - Housing and Community Development (Bill Lindsay 620-6512/Alan Wolken 307-8137).
- H-27.** PROCLAMATION declaring November as Homelessness Awareness Month in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-28.** DIRECT the city manager, pursuant to previous direction by the City Council, to conduct three public workshops between now and the end of February 2018, to envision future land uses for the city-owned property at Point Molate - Office of the Mayor (Mayor Tom Butt 620-6503).

I. CITY COUNCIL CONSENT CALENDAR

- I-1.** APPROVE a five-year Memorandum of Understanding (MOU) between the City and Richmond Art Center (RAC) for an amount up to \$350,000 in fiscal year 2017-2018 and decreasing by \$25,000 each subsequent year through fiscal year 2021-2022 to enable RAC to continue to provide the services that it has developed with the City's support over the past five years - Library and Cultural Services Department (Katy Curl 620-6554).
- I-2.** ACCEPT and APPROPRIATE \$7,000 in grant funds from University of California Berkeley/Richmond Community Foundation (UCB/RCF) Partnership Fund for Library and Cultural Services Department, Arts and Culture Division; and APPROVE an agreement with Richmond Main Street Initiative for the "Community Conversations" project in the Iron Triangle for the period of July 1, 2017, through June 30, 2018 - Library and Cultural Services Department (Katy Curl 620-6554/Michele Seville 620-6952).

- I-3.** APPROVE the purchase and five year maintenance and support for a new battery backup system for the Communications Center from Tri-Power Systems in an amount not to exceed \$100,000 - Police Department (Chief Allwyn Brown 621-1802).
- I-4.** APPROVE the purchase of thirteen (13) Getac V110 mobile data computers and accessories from DuraTech USA, Inc. in an amount not to exceed \$65,000; in accordance with Richmond Municipal Code 2.52.330, the City will utilize the County of San Bernardino's bid process - Police Department (Chief Allwyn Brown 621-1802).
- I-5.** APPROVE actions to update the Historic Preservation Commission; APPOINT Caitlin Harvey, new appointment, seat #4, Term expiration date July 31, 2021 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-6.** APPROVE an amendment to the contract with Tyler Technologies for Software as a Service (SaaS) for the MUNIS Enterprise Resource Planning (ERP) System, extending the contract term by three years to December 31, 2020, and increasing the contract amount by \$1,466,199, with a total contract amount not to exceed \$7,179,279.25 - Information Technology Department (Sue Hartman 620-6874).
- I-7.** RECEIVE a report on the Richmond Municipal Sewer District for the month of September 2017 - Water Resource Recovery Department (Ryan Smith 620-5486).
- I-8.** APPROVE a three-year contract with Infrastructure Engineering Corporation (IEC) to replace the existing SMART COVER® alarm monitoring system in the City's collection system with an ADS ECHO® alarm monitoring system, and provide maintenance and calibration of the system in an amount not to exceed \$91,500 - Water Resource Recovery Department (Ryan Smith 620-5486/Mary Phelps 620-1269).
- I-9.** APPROVE the purchase of one (1) Toro 25hp Z-Master mower from Aloha Saw in an amount not to exceed \$11,500 - Department of Infrastructure Maintenance and Operations (Tim Higare 231-3008).
- I-10.** APPROVE the purchase of one (1) 2018 Ford Transit Vanwagon from Towne Ford in an amount not to exceed \$33,000 - Department of Infrastructure Maintenance and Operations (Tim Higare 231-3008).
- I-11.** APPROVE the purchase of one (1) 2018 Hyster H50XT Lift Truck (forklift) from Pape Material Handling in an amount not to exceed \$29,000 - Department of Water Resource Recovery (Ryan Smith 620-6594).
- I-12.** APPROVE the purchase of three (3) 2018 Ford F250 trucks from Towne Ford in an aggregate amount not to exceed \$80,000 - Department of Infrastructure Maintenance and Operations (Tim Higare 231-3008).

- I-13.** ADOPT a resolution amending the City of Richmond's Conflict of Interest Code to ensure that all City positions required to file Statements of Economic Interest are properly identified - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- I-14.** APPROVE a contract amendment with Nichols Consulting Engineers for engineering and environmental permitting services arising out of the Via Verdi Drive landslide, increasing the contract amount by \$300,200, with a total contract amount not to exceed \$600,200 - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).
- I-15.** APPROVE a contract with Richmond Main Street Initiative, Inc. to provide administrative support for the build-out of the Richmond Business Hub branded as "Co-Biz" at the Richmond BART Station garage in an amount not to exceed \$50,000 from December 1, 2017 through November 30, 2018, with funding from the Environmental and Community Investment Agreement - City Manager's Office (Bill Lindsay/Janet Johnson 620-6512).
- I-16.** RECEIVE the monthly report on Point Molate activities for the month of October 2017 - City Manager's Office (Bill Lindsay/Craig Murray 620-6512).
- I-17.** APPROVE a three (3) year contract, with two (2) year renewal options, with Turbo Data Systems, Inc. (TDS) in an amount not to exceed \$14,250, to provide a permit management system and related citation processing services to support the Transportation Division parking management operations - City Manager's Office (Bill Lindsay 620-6512/Denée Evans 621-1718).
- I-18.** APPROVE actions to update the Urban Forest Advisory Committee; APPOINT Guillermo Jimenez Orozco, new appointment, seat #3, filling an unexpired term with an expiration date of November 11, 2018 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-19.** APPROVE actions to update the Planning Commission; APPOINT David Tucker, new appointment, seat #3, term expiration date June 30, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-20.** APPROVE actions to update the Housing Advisory Commission and the Housing Authority Board of Commissioners; APPOINT Carol Hegstrom, re-appointment, seat #5, term expiration date November 1, 2019, and Jaycine Scott, re-appointment, seat #6, term expiration date November 1, 2019; and APPOINT Jaycine Scott to the Housing Authority Board of Commissioners to continue serving as a Tenant Commissioner - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-21.** APPROVE the minutes of the October 24, 2017, regular meeting of the Richmond City Council - City Clerk's Office (Pamela Christian 620-6513).

J. ORDINANCES

J-1. INTRODUCE an ordinance (first reading) initiating a zoning ordinance amendment process to update Article 15.04.610.270 of the Richmond Municipal Code to add standards and regulations for adult-use commercial cannabis, and to temporarily restrict the approval of adult-use cannabis businesses until such regulations are adopted - Planning and Building Services Department (Richard Mitchell/Lina Velasco 620-6706).

K. COUNCIL AS A WHOLE

K-1. APPROVE a recommendation from the City Council Ad Hoc Committee to award \$50,000 in Environmental Community Investment Agreement (ECIA) Grant funds (Category 3 - City Council Approved Award) to seven Richmond-serving non-profit organizations - City Manager's Office (Bill Lindsay/LaShonda White 620-6512).

K-2. CONSIDER directing staff to prepare a moratorium for Council consideration restricting the approval of schools in certain zones pending completion of an anticipated zoning amendment making these and other unrelated changes to the zoning ordinance - Councilmember Martinez (620-6593).

K-3. DIRECT staff to seek input from key stakeholders and the Planning Commission in preparing a proposal and budget for a public process for citizen input on the Land Use Designations for Point Molate for the General Plan and the Zoning Ordinance, ensuring the public has access to all City activity reports on Point Molate, and bring this proposal and budget back to the City Council for final approval - Councilmember Willis (412-2050) and Councilmember Choi (620-6565).

K-4. DIRECT the City Manager to dissolve the joint position of Fire Chief/Fire Marshal and create two full time permanent positions for Fire Marshal and Deputy Fire Marshal to be filled in house - Councilmember Willis (412-2050), Councilmember Choi (620-6565) and Vice Mayor Beckles (620-6568).

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

M. 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.