



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**AGENDA**  
**Tuesday, February 20, 2018**

*Link to City Council Agendas/Packets*  
<http://sireweb.ci.richmond.ca.us/sirepub/meet.aspx>  
*Register to receive notification of new agendas, etc.*  
<http://www.ci.richmond.ca.us/list.aspx>

**Mayor**  
Thomas K. Butt

**Vice Mayor**  
Melvin Willis

**Councilmembers**

Jovanka Beckles  
Ben Choi  
Eduardo Martinez  
Jael Myrick  
Ada Recinos

**Housing Authority Tenant Commissioners**

Jaycine Scott  
Tanise Smith

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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 file the card with the City Clerk **prior** to the City Council's consideration of Agenda Review. Councilmembers who request to remove an item from the consent calendar must do so during 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).

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**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. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Subdivision [a] of Government Code Section 54956.9):  
  
Upstream vs. City of Richmond
  - A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
(Significant exposure to litigation pursuant to Subdivision (b) of Government  
Code Section 54956.9):  
  
One Case

## **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.** ADOPT a resolution awarding a contract to Staffmark Holdings, Inc. for temporary staffing to provide skilled labor for short-term vacancies at the Richmond Housing Authority pending a final decision about the viability of maintaining a local public housing authority - Richmond Housing Authority (Bill Lindsay 620-6512). **CONTINUED from the February 6, 2018, meeting. This item was reviewed by the Housing Advisory Committee.**

**E-2.** ADOPT a resolution awarding a lease to Ricoh Inc., and authorizing final payment to Rabbit Copier, Inc., and transition leases for office copiers from Rabbit Copier, Inc. to Ricoh Inc., amount not to exceed \$17,000 - Richmond Housing Authority (Bill Lindsay 620-6512). **CONTINUED from the February 6, 2018, meeting. This item was reviewed by the Housing Advisory Committee.**

**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. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION**
- E. **REPORT FROM THE CITY MANAGER**
- F. **OPEN FORUM FOR PUBLIC COMMENT**
- G. **CITY COUNCIL CONSENT CALENDAR**
  - G-1. RECEIVE a report on the Richmond Municipal Sewer District for the month of December 2017 - Water Resource Recovery Department (Ryan Smith 620-5486).
  - G-2. APPROVE a contract with R3 Consulting Inc. to conduct a study that will establish the nexus between the cost to abate litter and businesses that sell products resulting in observable litter in the City, with the scope of the study enabling the City of Richmond to consider establishing a revenue mechanism to fund trash and litter collection services, in amount not to exceed \$47,500.00 - Water Resource Recovery Department (Ryan Smith 620-5486).
  - G-3. APPROVE the purchase of a 2017 Vermeer BC1500 15" Chipper from RDO Vermeer for use by the Parks Division, in an amount not to exceed \$64,000 - Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).
  - G-4. APPROVE actions to update the Historic Preservation Commission; APPOINT Jonathan Haerber, new appointment, seat #5, term expiration date July 31, 2021 - Office of the Mayor (Mayor Tom Butt 620-6503).
  - G-5. APPROVE actions to update the Human Rights and Human Relations Commission; APPOINT Chris Broglio, new appointment, seat #7, filling an unexpired term with an expiration date of March 30, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).
  - G-6. APPROVE actions to update the Workforce Development Board; APPOINT Ruben Lizardo, seat #28, term start date March 1, 2018, term expiration date March 1, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).

- G-7.** APPROVE actions to update the Arts and Culture Commission; APPOINT Florene Wiley, new appointment, seat #5, term expiration date January 31, 2022, Jenny Balisle, reappointment, seat #6, term expiration date January 31, 2022, Nava Mizrahhi, new appointment, seat #8, term expiration date January 31, 2022, Fletcher Oakes, new appointment, seat #9, term expiration date October 31, 2021, Antonio Tamayo, new appointment, seat #10, term expiration date January 31, 2022, and Melissa Kirk, new appointment, seat #11, filling an unexpired term with a term expiration date of January 31, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-8.** APPROVE actions to update the Public Art Advisory Committee; APPOINT Jenny Balisle, new appointment, seat #1, term expiration date February 20, 2020, Gretchen Borg-Hillstead, new appointment, seat #2, term expiration date February 20, 2020, Phillip Mehas, new appointment, seat #3, term expiration date February 20, 2020, and Tom Herriman, new appointment, seat #6, term expiration date February 20, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-9.** APPROVE a Community Development Block Grant (CDBG) funded contract with Automatic Door Systems, Inc. for removing and replacing three sets of doors in the Booker T. Anderson Community Center, in an amount not to exceed \$51,000 and for a term ending July 21, 2018 - Community Services Department (Rochelle Monk 620-6511).
- G-10.** APPROVE a Community Development Block Grant (CDBG) funded contract with H.Y. Floor and Gameline Painting, Inc. for refinishing the Booker T. Anderson Community Center gymnasium floor, in an amount not to exceed \$36,000 and for a term ending December 31, 2018 - Community Services Department (Rochelle Monk 620-6511).
- G-11.** APPROVE contract amendment No. 2 with NEMA Construction for on-call high voltage and traffic signal major electrical repairs and modifications at various locations, exercising the option to extend the contract for an additional two years through FY 2019-20, and increasing the contract amount by \$500,000 to a total amount not to exceed \$900,000 over the five-year term of the contract - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).
- G-12.** ADOPT a resolution terminating the local emergency at Rifle Range Road which was declared in March 2017 due to landslide damage - Engineering and Capital Improvement Projects Department (Yader Bermudez 620-5478/Tawfic Halaby 621-1612).
- G-13.** ADOPT a resolution terminating the local emergency on Via Verdi that was declared in February 2017 due to landslide damage - Engineering and Capital Improvement Projects Department (Yader Bermudez 620-5478/Tawfic Halaby 621-1612).

- G-14.** ADOPT a resolution of intention to vacate an obsolete sanitary sewer easement, storm drain easement, and water line easement owned by the City of Richmond at 912 Harbour Way South, in conjunction with the private development of a 182,000 square foot warehouse building, and set the matter for a public hearing on March 20, 2018 - Engineering and Capital Improvement Projects Department (Yader Bermudez 620-5478/Dane Rodgers 307-8112).
- G-15.** ADOPT a resolution designating and authorizing the city manager, finance director, and emergency services manager as officials who may apply on behalf of the City of Richmond for federal and state post disaster financial assistance under the California Disaster Assistance Act - Engineering and Capital Improvement Projects Department (Yader Bermudez 620-5478/Tawfic Halaby 621-1612).
- G-16.** RECEIVE the monthly report on Point Molate activities for the month of December 2017 - City Manager's Office (Bill Lindsay/Craig Murray 620-6512)
- G-17.** APPROVE a contract amendment with Remediation Risk Management, Inc. (RRM, Inc.) to assess, monitor, and report on soil and groundwater conditions at the City of Richmond's Corporation Yard, as required by the Regional Water Quality Control Board, increasing the contract amount by \$15,863.04 for a total contract amount not to exceed \$90,863.04, and with a term to remain through June 30, 2019 - City Manager's Office (Bill Lindsay/Craig Murray 307-8188).
- G-18.** APPROVE a First Amendment to Amended and Restated License Agreement with Nematode Holdings, LLC to use additional City-owned property at 2100 Stenmark (Western) Drive at Pt. Molate from February 1, 2018 to November 30, 2019, for the storage of miscellaneous equipment and material - City Manager's Office (Bill Lindsay/Craig Murray 307-8188)
- G-19.** APPROVE a contract with Socrata, Inc. to develop and maintain a cloud-based dashboard software service that publically reports Richmond Climate Action Plan data for an amount not to exceed \$49,000; and AUTHORIZE staff to purchase Tableau data visualization software licensing for up to three years, for a total cost of \$4,200 per year, not to exceed \$12,600 over the three-year period, and a total program expenditure of \$61,600, utilizing funding from the Environmental and Community Investment Agreement Climate Action Plan budget - City Manager's Office (Shasa Curl/Adam Lenz 620-6512).
- G-20.** DIRECT the city attorney to prepare a cleanup or housekeeping amendment to Richmond Municipal Code Chapter 9.57, "Prohibition of Smoking in and Around Multi-Unit Residences" for Council consideration, eliminating an erroneous reference to the 2007 version of California Apartment Association Form 34.0 - Councilmember Ada Recinos (620-5431).

**H. PUBLIC HEARINGS**

**H-1.** ADOPT a resolution certifying the Environmental Impact Report, adopting a Mitigation Monitoring and Reporting Program, and approving a General Plan Amendment, Vesting Tentative Map, and Design Review Permit for the Quarry Residential Project, and INTRODUCE an ordinance (first reading) amending the Zoning Map to rezone the Quarry Residential Project site from Parks and Recreation (PR) to Open Space (OS) and Planned Area (PA) District - Planning and Building Services Department (Richard Mitchell 620-6706).

**I. COUNCIL AS A WHOLE**

**I-1.** CONSIDER options to bring better oversight to the Sims Metal Management facility in Richmond and review the efficacy of the city's emergency response to the January 30, 2018, incident - Councilmember Jael Myrick (620-6636).

**I-2.** REVIEW a proposal for placing a separate, complementary measure to the Kids First Initiative on the June 5, 2018 ballot, and DIRECT the city attorney and city manager to prepare such a measure in its final form for review and approval by the City Council at its February 27, 2018 meeting -- City Manager's Office (Bill Lindsay 620-6512).

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

**K. ADJOURNMENT**

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*This agenda may be previewed on KCRT – Channel 28, Richmond Television, City website [www.ci.richmond.ca.us](http://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.*