



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, March 20, 2018

Link to City Council Agendas/Packets
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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

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 Soulet, 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).

**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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code
Section 54957.6):

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

Property: Port of Richmond General Warehouse
Agency negotiator: Bill Lindsay, Jim Matzorkis
Negotiating party: Richmond Grown LLC
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. AGENDA REVIEW

E. HOUSING AUTHORITY CONSENT CALENDAR

E-1. RECEIVE a status report of key activities and developments of the Richmond Housing Authority during January and February 2018, and projects anticipated in the next 30-60 days - Richmond Housing Authority (Bill Lindsay 620-6512).

E-2. APPROVE the minutes of the special February 27 and regular March 6, 2018, Richmond Housing Authority meetings - 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. **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. APPROVE an Exclusive Right to Negotiate Agreement (ERN) with Richmond Grown for lease of the General Warehouse at the Port of Richmond - Port Department (Jim Matzorkis 215-4600).
 - G-2. ADOPT a resolution accepting as complete the Oil Spill Cleanup project at the Point Potrero Marine Terminal contracted to Performance Abatement Services - Port Department (Jim Matzorkis 215-4600).
 - G-3. RECEIVE the City's Investment and Cash Balance Report for the month of January 2018 - Finance Department (Belinda Warner/Stacie Plummer 620-6930).
 - G-4. RECEIVE a report on the Richmond Municipal Sewer District for the month of January 2018 - Water Resource Recovery Department (Ryan Smith 620-5486).
 - G-5. APPROVE a three-year contract with Infrastructure Engineering Corporation to provide flow monitoring data in the sanitary and storm sewer collection system, computer and web hosting software support, technical reports, maintenance of the inflatable dams at the overflow weirs, and field support for city staff in an amount not to exceed \$360,330 - Water Resource Recovery Department (Ryan Smith 620-5486/Mary Phelps 621-1269).
 - G-6. APPROVE a contract with Rising Sun Energy Center to employ and train local youth to install energy efficiency and water conservation measures for residences for a total amount not to exceed \$15,000 for a term ending December 31, 2018 - City Manager's Office (Shasa Curl/Adam Lenz 620-6512).

- G-7.** APPROVE the eighth 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 six months to June 30, 2021, and increasing the contract amount by \$244,366.50 with a total contract amount not to exceed \$7,423,645.75 - Information Technology Department (Sue Hartman 620- 6874).
- G-8.** APPROVE a five-year agreement with Superior, LLC for the continued licensed use, technical support and software updates for the TRAKIT permitting, business licensing, code enforcement, and Citizen Response Management (CRM) system for the period beginning April 1, 2018, through March 31, 2023, in an amount not to exceed \$352,283.43. The agreement also includes implementation of an interactive voice response (IVR) phone module for scheduling permit inspections and an additional five user licenses for the Rent Control department, which is using TRAKiT for the administration of the Rent Program - Information Technology Department (Sue Hartman 620-6874).
- G-9.** APPROVE a lease agreement with the Richmond Promise, Inc., a community-wide college scholarship fund and college success initiative, for the use of approximately 650 square feet of City-owned property at 440 Civic Center Plaza as office space for a term ending February 28, 2019, with options to extend the lease term for three additional one-year periods, at a lease rate of \$665 per month beginning March 1, 2018 - City Manager's Office (Bill Lindsay/LaShonda White 620-6512).
- G-10.** RECEIVE the monthly report on Point Molate activities for the month of February 2018 - City Manager's Office (Bill Lindsay/Craig Murray 620-6512).
- G-11.** APPROVE the Environmental and Community Investment Agreement (ECIA)-funded purchase of two (2) zero emission vehicles in an amount not to exceed \$53,000 to replace two recently decommissioned gas engine pool vehicles, and to further support the City's green fleet conversion - City Manager's Office (Bill Lindsay 620-6512/Denée Evans 620-1718).
- G-12.** APPROVE a sole-source, Environmental and Community Investment Agreement (ECIA)-funded contract with the Richmond Community Foundation to provide and manage a series of capacity building trainings for Richmond-serving non-profits in an amount not to exceed \$60,000 for a three-year term commencing February 1, 2018, and ending January 31, 2021 - City Manager's Office (Bill Lindsay/LaShonda White 620-6512).
- G-13.** APPROVE the recommendation of the City Council to provide a compensation adjustment to the City Clerk. Effective March 2, 2018, the City Clerk's monthly salary will be increased to \$10,088/month (a 10% increase) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).

- G-14.** ADOPT an ordinance (second reading) to establish the wages, salary, and compensation for the new classification of Rent Program Services Analyst I (Salary Range No. 043D \$5,174 - \$6,187/month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).
- G-15.** ADOPT an ordinance (second reading) to establish the wages, salary, and compensation for the new classification of Rent Program Services Analyst II (Salary Range No. 055D \$6,357 - \$7,684/month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).
- G-16.** APPROVE a three-year contract, with two additional one-year extensions, with SCI Consulting Group to prepare the Hilltop Assessment District Annual Engineer's Report in an amount not to exceed \$33,750, for a term from March 21, 2018, to March 22, 2021 - Infrastructure Maintenance and Operations Department (Tim Higaes 620-6508).
- G-17.** APPROVE a three-year contract, with two optional one-year extensions, with Willdan Financial Services to prepare the Marina Assessment District Annual Engineer's Reports necessary to levy assessments for the 2018-2021 fiscal years, in an amount not to exceed \$23,250 and for a term from March 22, 2018, to March 23, 2021 - Infrastructure Maintenance and Operations Department (Tim Higaes 231-3008).
- G-18.** APPROVE the minutes of the February 20, 27, and March 6, 2018, regular Richmond City Council meetings - City Clerk's Office (Pamela Christian 620-6513).

H. PUBLIC HEARINGS

- H-1.** **CONTINUED to April 24, 2018**, the matter to hold a Public Hearing on the appeal of the Planning Commission's decision to approve the Anaviv CUP Amendment (PLN17-572); and **AFFIRM** the Planning Commission's Conditional Use Permit Amendment approval - Planning and Building Department (Richard Mitchell/Roberta Feliciano 620-6662).
- H-2.** ADOPT Order of Vacation No. 915, vacating the 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 - Engineering and Capital Improvement Projects Department (Yader Bermudez 620-5478/Dane Rodgers 307-8112).

I. COUNCIL AS A WHOLE

I-1. RECEIVE a presentation concerning AB 503, which relates to the collection of delinquent fines for parking citations, and the different policies that municipalities are implementing to comply with the new law; and CONSIDER directing staff to prepare an ordinance to bring city parking policies in line with AB 503 - Councilmember Jael Myrick (620-6636). **This item was continued from the November 28, 2017, meeting.**

I-2. DIRECT staff to review proposed changes to the Richmond Municipal Code 10.08: Trimming, Pruning, Care, Planting, Removal and Moving of Trees, Shrubs, or Plants, as recommended by the Urban Forest Advisory Committee - Councilmember Martinez (620-6593) and Councilmember Recinos (620-5431).

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

K. 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.