



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, May 1, 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

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 Souble, 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**

5:30 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 - EXISTING LITIGATION
(Subdivision [a] of Government Code Section 54956.9):

City of Richmond vs Chevron

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

Property: Port of Richmond Riggers Loft
Agency negotiators: Bill Lindsay and Jim Matzorkis
Negotiating party: Riggers Loft Wine Company
Under negotiation: Price and terms of payment

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: City Manager

**REGULAR MEETING OF THE SUCCESSOR AGENCY TO THE
RICHMOND COMMUNITY REDEVELOPMENT AGENCY AND
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. SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR**
 - H-1.** APPROVE a contract with Masayuki Nagase to design, fabricate and install public art at the site adjacent to the Officer Bradley A. Moody Memorial Underpass, in an amount not to exceed \$369,000, and with a term beginning April 1, 2018, and ending December 31, 2019 - Library and Cultural Services (Katy Curl 620-6554/Michele Seville 620-6952).
 - H-2.** APPROVE a contract with Regina Almaguer to perform project management services for the public art project at the Officer Bradley A. Moody Memorial Underpass, in an amount not to exceed \$41,738, and with a term from January 2, 2018, to December 31, 2019 - Library and Cultural Services (Katy Curl 629-6554/Michele Seville 620-6952).
- I. CITY COUNCIL CONSENT CALENDAR**
 - I-1.** APPROVE a contract with NIAD Art Center to support ongoing arts programs and collaborations with the City, in an amount not to exceed \$55,000 and with a term from February 27, 2018, to February 27, 2019 - Library and Cultural Services (Katy Curl 620-6554/Michele Seville 620-6952).

- I-2.** APPROVE a contract with East Bay Center for the Performing Arts (EBCPA) to support ongoing arts programs and collaborations with the City in an amount not to exceed \$55,000, and for a term from February 27, 2018, to February 27, 2019 - Library and Cultural Services (Katy Curl 620-6554/Michele Seville 620-6952).
- I-3.** RECEIVE the monthly report on Point Molate activities for the month of March 2018 - City Manager's Office (Bill Lindsay/Craig Murray 620-6512).
- I-4.** ACCEPT a \$100,000 subrecipient grant from the University of California, Berkeley awarded by the Robert Wood Johnson Foundation, APPROPRIATE these grant funds, and AUTHORIZE the city manager to execute a grant subagreement with the Regents of the University of California with a term ending August 31, 2019 - City Manager's Office (Shasa Curl/Gabino Arredondo 620-6606).
- I-5.** APPROVE a grant-funded construction agreement with SmartWAVE Technologies, LLC to install public broadband network serving Nevin Plaza, Triangle Court, and Friendship Manor, as well as several other community sites within the Iron Triangle neighborhood, in an amount not to exceed \$303,111 - Information Technology Department (Sue Hartman 620-6874).
- I-6.** ADOPT a resolution authorizing service contracts with six architectural firms (Gutierrez/Associates, Oakland; Fog Studio, El Cerrito; Mark Albertson, Petaluma; Oakley & Oakley, Antioch; Ware Associates; Richmond; and LCA Architect, Walnut Creek) for as-needed architectural services in an amount not to exceed \$600,000 per firm over a three-year period plus options for two-year extensions - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).
- I-7.** ADOPT a resolution authorizing the city manager, or their designee, to execute agreements with the California Department of Transportation - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300/Tawfic Halaby 621-1612).
- I-8.** ADOPT a resolution approving an equipment lease-purchase agreement with Holman Capital Corporation; and APPROVE the purchase of one tiller truck from Smeal Fire Apparatus Co. in an amount not to exceed \$1,240,000; and two Type I pumpers from Hi-Tech EVS in an amount not to exceed \$1,460,000 for a total purchase price not to exceed \$2,700,000 - Finance and Fire Departments (Belinda Warner 620-6740/Adrian Sheppard 307-8041).
- I-9.** REVIEW the revised Cash Reserve Policy and ADOPT a resolution approving the revised policy, increasing the minimum balance from 7% to 15% of annual expenditures - Finance Department (Belinda Warner 620-6740/Markisha Guillory 620-5434).

- I-10.** ACKNOWLEDGE receipt of the first drafts of the Fiscal Year 2018-19 Annual Operating Budget and the Years 2018-23 Five-Year Capital Improvement Budget, and establish the review process and schedule for their review and adoption - Finance Department (Belinda Warner 620-6740/Markisha Guillory 620-5434).
- I-11.** RECEIVE the City's Investment and Cash Balance Report for the month of March 2018 - Finance Department (Belinda Warner 620-6740/Stacie Plummer 620-6930).
- I-12.** PROCLAMATION declaring May 2018 as Bike Month in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-13.** APPROVE a legal services agreement with Shartsis Friese, LLP for as-needed specialized legal services and advice regarding the disposition (sale/lease) of the General Warehouse, in an amount not to exceed \$100,000, with a term expiration of June 30, 2020, and with funding of up to \$75,000 to be provided by the prospective buyer/tenant - Port Department (Jim Matzorkis 620-6784).
- I-14.** ADOPT an ordinance (second reading) amending Richmond Municipal Code (RMC) Chapter 12.18, Discharges to the Wastewater Treatment System, relating to the Fats, Oil and Grease (FOG) Program, to enhance grease removal device requirements and to add enforcement provisions - Water Resource Recovery Department (Ryan Smith 620-5486/Joanne Le 620-6540).
- I-15.** APPROVE Contract Amendment No. 1 with R3 Consulting Group to continue assisting the City in the five-year compliance review of the conditional use permit for the Bulk Materials Processing Center and associated facilities, in an amount not to exceed \$76,000, for a term ending June 30, 2020 - Planning and Building Services Department (Richard Mitchell 620-6706).
- I-16.** AUTHORIZE the Port to enter into a one-year lease, with four options to extend for one year, with Pio Trucking Company for their use of property at Terminal 4, with annual revenue to the Port of Richmond in the amount of \$72,718 - Port Department (Jim Matzorkis 215-4600).
- I-17.** APPROVE an amendment to the contract with Boudreau Associates, LLC to support dredging of berths 7 and 8 of the Point Potrero Marine Terminal and the Marina Bay Yacht Harbor entrance channel, increasing the amount by \$40,000 for a total contract amount of \$135,000 - Port Department (Jim Matzorkis 215-4600).
- I-18.** APPROVE actions to update the Economic Development Commission:
APPOINT Demnlus Johnson III, reappointment, seat #1, term expiration date March 30, 2021, Brandon Evans, reappointment, seat #2, term expiration date of March 30, 2021, and Burgundie Spears, reappointment, seat #10, term expiration date March 30, 2021 - Office of the Mayor (Mayor Tom Butt 620-6503).

- I-19.** APPROVE appointments to the Environmental and Community Investment Agreement (ECIA) Grant Review Ad Hoc Committee: APPOINT Lisa Stephenson-Johnson, reappointment, seat #1, term expiration date March 31, 2020, Carol Hegstrom, reappointment, seat #2, term, expiration date March 31, 2020, Lidia Perdomo, reappointment, seat #4, term expiration date March 31, 2020, and Monica Lazo, reappointment, seat #5, term expiration date March 31, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-20.** APPROVE actions to update the Human Rights Human Relations Commission; APPOINT Jan Mignone, reappointment, seat #9, term expiration date March 30, 2021 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-21.** APPROVE actions to update the Recreation and Parks Commission; APPOINT Payal Patel, reappointment, seat #3, term expiration date April 28, 2021 - Office of the Mayor (Mayor Tom Butt 620-6503).

J. PUBLIC HEARINGS

- J-1.** HOLD a public hearing on the appeal of the Planning Commission's conditional approval of the Anaviv CUP Amendment (PLN17-572); and ADOPT a resolution affirming the Planning Commission's conditional approval - Planning and Building Services Department (Richard Mitchell 620-6706).

K. ORDINANCES

- K-1.** INTRODUCE an ordinance (first reading) amending Chapter 11.102 of the Richmond Municipal Code entitled Relocation Requirements for Tenants of Residential Rental Units; and ADOPT a resolution concerning relocation payment requirements for tenants of residential rental units - City Manager's Office (Bill Lindsay 620-6512).
- K-2.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Chapter 9.17 Food Ware Ordinance to update the disposable food ware regulations and prohibit the use, distribution or sale of plastic straws and plastic stirrers by retail establishments, food providers, transient lodging establishments, and the city government - Office of Mayor Tom Butt (Tom Butt 620-6503).

L. COUNCIL AS A WHOLE

- L-1.** REVIEW the proposed Sanctuary City Contracting resolution and the Investment Ordinance and PROVIDE direction to staff to prepare the resolution for adoption and agendize the ordinance for a first reading at the next City Council meeting - Councilmembers Jovanka Beckles (620-6568) and Ada Recinos (620-5431).

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.*