



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, May 15, 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 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).

**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):

United States vs. California (amicus brief)

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: City Manager

**SPECIAL JOINT MEETING OF THE RICHMOND JOINT
POWERS FINANCING AUTHORITY AND
RICHMOND CITY COUNCIL**

6:25 p.m.

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. CONSENT CALENDAR

D-1. ADOPT the following: (1) a resolution of the Richmond Joint Powers Financing Authority authorizing the execution and delivery of an amendment to the Site Lease; an amendment to the Facility Lease; a Termination Agreement; an amendment to the Memorandum of Trust Agreement in connection with a substitution of facilities; and approving the taking of all necessary or desirable actions in connection therewith; and (2) a resolution of the City Council authorizing the execution and delivery of an amendment to the Site Lease; an amendment to the Facility Lease; a Termination Agreement in connection with a substitution of facilities; and approving the taking of all necessary or desirable actions in connection therewith. The purpose of this substitution is to assist in the redevelopment of the properties at 12th Street and Macdonald Avenue in downtown Richmond - City Manager's Office (Bill Lindsay 620-6512) and Finance Department (Belinda Warner 620-6740).

E. 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. ADOPT a resolution approving the Engineer's Report for Fiscal Year 2018-2019 for the Hilltop Landscape Maintenance District ("HLMD"), declaring the Council's intention to increase the annual assessment in the HLMD, and announcing a public hearing on the proposed increased assessment on June 5, 2018, at 6:30 PM in the City Council Chambers at 440 Civic Center Plaza in the City of Richmond - Department of Infrastructure Maintenance and Operations (Tim Higaes 620-6508).
 - G-2. ADOPT a resolution approving the Engineer's Report for Fiscal Year 2018-2019 for the Marina Bay Landscaping and Lighting Maintenance District, declaring the Council's intention to increase the annual assessment in the Marina Bay Landscaping and Lighting Maintenance District, and announcing a public hearing about the proposed increased assessment on June 5, 2018, at 6:30 PM in City Council Chambers at 440 Civic Center Plaza in the City of Richmond - Department of Infrastructure Maintenance and Operations (Tim Higaes 620-6508).
 - G-3. APPROVE a lease agreement with the Richmond Art Center for the use of City-owned property at 2540 and 2544 Barrett Avenue, as a community art center consisting of art galleries, art studios, administrative offices, and associated uses and spaces for a term ending February 28, 2067, at a lease rate of \$2,084 per month beginning July 1, 2017 - Library and Cultural Services Department (Katy Curl 620-6554).
 - G-4. RECEIVE a report on the Richmond Municipal Sewer District for the month of March 2018 - Water Resource Recovery Department (Ryan Smith 620-5486).

- G-5.** PROCLAMATION of May 10 to 20, 2018 as Affordable Housing Week in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-6.** APPROVE the expenditure plan associated with the 2018-2020 California Violence Intervention and Prevention (CalVIP) Grant, a two-year violence reduction program, to include the right to negotiate and enter into contracts for two years with RYSE Center (\$125,000), Richmond Police Activities League (RPAL) (\$125,000), National Council on Crime and Delinquency (NCCD) (\$30,000), Literacy for Every Adult Program (LEAP) (\$2,000); APPROPRIATE funds for these stated purposes; and AUTHORIZE execution of all budgetary amendments approved by the Board of State and Community Corrections - Office of Neighborhood Safety (DeVone Boggan 620-5422).
- G-7.** APPROVE a contract with First Student, Inc. to provide bus transportation services to the City of Richmond Community Services Department for the 2018 summer camp excursion program, in an amount not to exceed \$12,000, and for a six-month term beginning July 1, 2018, and ending December 31, 2018 - Community Services Department (Rochelle Monk 620-6511).
- G-8.** APPROVE contract amendments with three vendors currently used by the Police Department to conduct background investigations (Moreland Investigations, James Anthony Carrol, and Noonan and Hart Investigative Services), increasing the contract amounts by \$14,500 per vendor for a total contract amount not to exceed \$24,500 per vendor, and extending the term of each contract for two years until June 30, 2020 - Police Department (Allwyn Brown 621-1802).
- G-9.** INTRODUCE an ordinance (first reading) establishing the wages, salary, and compensation for the retitled classification Communications Center Manager (Salary Range No. 070D \$9,535 - \$11,532/month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600)
- G-10.** ADOPT a resolution to amend the City of Richmond's Position Classification Plan to retitle the existing classification of Communications Manager to Communications Center Manager - Human Resources Management Department - Lisa Stephenson/Donna Newton 620-6600)
- G-11.** APPROVE an amendment to the contract with NCE for additional design construction services for the Rifle Range Road landslide reconstruction, in an amount not to exceed \$50,000, for a total contract amount not to exceed \$150,000 - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).
- G-12.** 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). **This item was continued from the May 1, 2018, meeting.**

- G-13.** APPROVE the minutes of the April 17 and April 24, 2018, regular Richmond City Council meetings - City Clerk's Office (Pamela Christian 620-6513).
- G-14.** ADOPT a resolution: (1) Calling and Giving Notice of the holding of a Municipal Election to be held on Tuesday, November 6, 2018, for the election of certain officers as required by the provisions of the Charter of the City of Richmond; (2) requesting the Board of Supervisors of Contra Costa County to consolidate the Municipal Election with the Statewide General Election; and (3) adopting regulations for candidates pertaining to the candidates' statements submitted to the voters, cost of the candidates' statements and other fees, word limit for candidates' statements; and actions to be taken for a tie vote - City Clerk's Office (Pamela Christian 620-6513).
- G-15.** RECEIVE the monthly report on Point Molate activities for the month of April 2018 - City Manager's Office (Bill Lindsay/Craig Murray 620-6512).
- G-16.** ACCEPT and APPROPRIATE \$25,000 in funds from the Environmental and Community Investment Agreement (ECIA) competitive grant program to support the Kiva Richmond Entrepreneur Start-Up Fund to provide matching small business loans to Richmond start-up businesses - City Manager's Office (Bill Lindsay/Janet Johnson 307-8131).
- G-17.** APPROVE an agreement with Lyft, Inc. to provide Measure J-subsidized transportation services to paratransit-eligible seniors and disabled individuals, to augment R-Transit service for non-ambulatory (wheelchair) paratransit clients, in an amount not to exceed \$400,000 annually, and for a term extending to June 30, 2020, with five additional, optional one-year extensions - City Manager's Office (Bill Lindsay/Lori Reese-Brown 620-6512).
- G-18.** APPROVE a contract with Advance Peace (fiscal agent Safe Passages, services provided by DeVone Boggan) to provide technical assistance and oversight of the Office of Neighborhood Safety (ONS) core operating, programming, evaluation, communications, resource development, and quality control functions in the amount of \$112,500, and for a term from July 1, 2018, through December 31, 2019, with two options to renew the contract for a period of 18 months - City Manager's Office (Bill Lindsay 620-6512).
- G-19.** ADOPT an ordinance (second reading) amending Chapter 11.102 of the Richmond Municipal Code entitled Relocation Requirements for Tenants of Residential Rental Units - City Manager's Office (Bill Lindsay 620-6512).
- G-20.** ADOPT an ordinance (second 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).

H. BUDGET SESSION

H-1. RECEIVE presentations from department representatives, providing an overview of their proposed operating budget for Fiscal Year 2018-19 - Finance Department (Belinda Warner/Markisha Guillory 620-5434).

I. PUBLIC HEARINGS

I-1. **CONTINUED to June 5, 2018** - The matter to 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).

J. RESOLUTIONS

J-1. ADOPT a resolution establishing the Fiscal Year 2018-19 Residential Rental Housing Fee in the amount of \$207 per Controlled Rental Unit, \$100 per Partially Covered Rental Unit, and \$50 per Governmentally Subsidized Rental Unit - Rent Program (Nicolas Traylor 620-6564).

K. ORDINANCES

K-1. ADOPT a resolution and INTRODUCE an ordinance (first reading) establishing a Sanctuary City Contracting and Investment Policy for the City of Richmond - City Council Office (Councilmember Jovanka Beckles 620-6568) and Councilmember Ada Recinos (620-5431).

L. COUNCIL AS A WHOLE

L-1. REVIEW a summary of available housing in-lieu fees; and APPROPRIATE \$30,000 in housing in-lieu fees to fund the Council-approved legal services agreement with Goldfarb & Lipman, LLP to prepare amendments to the City's Inclusionary Housing Ordinance - City Manager 's Office (Bill Lindsay 620-6512).

L-2. CAST a vote of no confidence in the Fire Chief serving as the Fire Marshal and direct the City Manager and the Human Resources Director to address the outdated job specification for Fire Marshal, staffing level in the Fire Prevention Division and the Permit to Operate inspections - City Council Office (Councilmember Beckles 620-6568 and Councilmember Eduardo Martinez 620-6593)

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.