



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, June 5, 2018

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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**

5:30 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

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: City Manager

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision [a] of Government Code Section 54956.9):

Richmond Development Company vs. City of Richmond

**REGULAR 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. OPEN FORUM FOR PUBLIC COMMENT

F. HOUSING AUTHORITY CONSENT CALENDAR

F-1. AUTHORIZE the city manager, on behalf of the Richmond Housing Authority (RHA) Board, to execute a contract with CVR Associates to provide management services for the Richmond Housing Authority, including provision of onsite operations and financial management of Section 8 and public housing programs, in an amount not to exceed \$100,000 and for a term ending December 31, 2018 - City Manager's Office (Bill Lindsay 620-6512).

G. 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 a sole-source contract amendment with Definitive Networks, Inc. to provide remote electronic patient care report monitoring, quality improvement, on-site training and other support services in support of the Fire Department's emergency medical services program, increasing the contract by \$174,600, for a total amount not to exceed \$336,600, and extending the term of the contract through June 30, 2021 - Fire Department (Chief Adrian Sheppard 307-8041).
 - G-2. APPROVE a contract amendment with Industrial Safety Supply Corporation, increasing the payment limit by \$49,950, to a total contract amount not to exceed \$99,900, and extending the term of the contract to June 30, 2021 – Fire Department (Chief Adrian Sheppard 307-8041).
 - G-3. ADOPT a resolution adopting all of Volume 1 and the Introduction Section, Chapter 12, and Appendices of Volume 2 of the Contra Costa County Operational Area Hazard Mitigation Plan Update - Fire Department (Chief Adrian Sheppard/Genevieve Pastor-Cohen 620-5429).
 - G-4. APPROVE a sixth amendment to the existing agreement with Cox, Wootton, Lerner, Griffin, Hansen, LLP for continued legal services regarding maritime law matters, increasing the contract amount by \$50,000 for a total contract amount not to exceed \$260,000, and extending the term to July 30, 2021 - Port Department (Jim Matzorkis 215-4600.)
 - G-5. RECEIVE the City's Investment and Cash Balance Report for the month of April 2018 – Finance Department (Belinda Warner/Stacie Plummer 620-6930).

- G-6.** RECEIVE a report on the City's Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2016-17 - Finance Department (Belinda Warner 620-6740.)
- G-7.** ADOPT a resolution approving the Agreement and Election to Prefund Other Post-Employment Benefits through CalPERS; approving the Delegation of Authority to Request Disbursements; and authorizing the Finance Director or her designee to take any additional action necessary to participate in the California Employer's Retiree Benefit Trust (CERBT) Fund to prefund other post-employment benefits for the Richmond Police Officers Association (RPOA) - Finance Department (Belinda Warner 620-6740) and Human Resources Management Department (Lisa Stephenson 620-6609).
- G-8.** APPROVE a second contract amendment with Reed Madden Designs to complete fabrication and installation of a public art sculpture project at Point Sheridan including additional concrete work around the project, as required by the Americans for Disabilities Act, increasing the contract amount by \$63,095 for a total not to exceed amount of \$238,095, and extending the term through December 31, 2018 - Library and Cultural Services Department (Katy Curl 620-6554/Michele Seville 620-6952).
- G-9.** RECEIVE a report on the Richmond Municipal Sewer District for the month of April 2018 – Water Resource Recovery Department (Ryan Smith 620-5486).
- G-10.** APPROVE a sole-source agreement with the Contra Costa County District Attorney's Office for the dedicated services of a deputy district attorney who would be specifically assigned as Richmond's Community Based Prosecutor, at a cost not to exceed \$200,000, from July 1, 2018 through June 30, 2019 – Police Department (Chief Allwyn Brown 621-1802).
- G-11.** AUTHORIZE the city manager to enter into a \$50,000 contract to assist with community outreach to achieve the grant deliverables of an Air Monitoring Study Grant from the U.S. Environmental Protection Agency with a grant term through June 30, 2019; and APPROPRIATE the funding - City Manager's Office (Shasa Curl/Adam Lenz 620-5537).
- G-12.** ADOPT an ordinance (second reading) establishing a Sanctuary City Contracting and Investment Policy for the City of Richmond - Councilmembers Jovanka Beckles (620-6568) and Ada Recinos (620-5431).
- G-13.** APPROVE the minutes of the May 1, 2018, regular Richmond City Council meetings - City Clerk's Office (Pamela Christian 620-6513).
- G-14.** APPROVE a contract with Burkett's Pool Plastering, Inc. for the Richmond Plunge pool plaster replacement at #1 East Richmond Avenue in an amount not to exceed \$350,000 - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300).

- G-15.** ADOPT a resolution authorizing the execution of a construction contract with W. R. Forde Associates, Inc., for construction of the 37th Street Bicycle and Pedestrian Improvements project in an amount not to exceed \$804,541.10 including a 10% contingency (\$73,140.10) - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300/Tawfic Halaby 621-1612).
- G-16.** ADOPT a resolution approving the project list for Senate Bill 1 Road Maintenance and Rehabilitation Account funding for Fiscal Year 2018-2019 - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300/Tawfic Halaby 621-1612).
- G-17.** APPROVE the Final Map for Subdivision [9415], "NOMA" and AUTHORIZE the execution of a Subdivision Improvement Agreement with the subdivider, William Lyon Homes, Inc., and complete recording thereof - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300/Dane Rodgers 307-8112).
- G-18.** APPROVE actions to update the Housing Advisory Commission; APPOINT John Thorp Jr., re-appointment, seat #2, term expiration date November 1, 2019, and Preston Lam, new appointment, seat #4, term expiration date November 1, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-19.** APPROVE actions to update the Economic Development Commission; APPOINT Alpa Argawal, new appointment, seat #3, filling an unexpired with a term expiration date March 30, 2020, and Tina Brown new appointment, seat #6, filling an unexpired term with a term expiration date of March 30, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-20.** ADOPT a resolution amending the City of Richmond Classification Plan to add the new classification of Director of Infrastructure Maintenance and Operations - Human Resources Management Department (Lisa Stephenson/Maria Blue 620-6600).
- G-21.** INTRODUCE an ordinance (first reading) establishing the wages, salary, and compensation for the new classification of Director of Infrastructure Maintenance and Operations (Executive Salary range 5.1 \$10,728 - \$17,078) - Human Resources Management Department (Lisa Stephenson/Maria Blue 620-6600).
- G-22.** ADOPT an ordinance (second reading) amending the wages, salary, and compensation for the re-titled classification of Communications Center Manager (Salary Range No. 070D \$9,535 - \$11,532/month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).

- G-23.** APPROVE a three-year contract with Pacific Site Management, Inc. in an amount not to exceed \$253,260 for vegetation management services at Pt. Molate. The contract term will be from July 1, 2018, to June 30, 2021 - Department of Infrastructure Maintenance and Operations (Tim Higaes 620-6508).
- G-24.** APPROVE the purchase of a Spider 2SGS mower in an amount not to exceed \$41,000 – Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).
- G-25.** APPROVE the purchase of a 2019 Ford F350 with a mechanics truck body and crane from National Auto Fleet Group for use by the Facilities Maintenance Division, in an amount not to exceed \$105,000 – Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).
- G-26.** APPROVE the purchase of two 2019 Ford F250 trucks from Towne Ford, in an aggregate amount not to exceed \$60,000 - Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).
- G-27.** APPROVE the purchase of one 2019 Ford Interceptor from Hilltop Ford in an amount not to exceed \$30,000 – Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).
- G-28.** APPROVE the purchase of two Fleet Pro Tool Sets with tool boxes included from Snap-On in an amount not to exceed \$32,000 – Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).

H. BUDGET SESSION

- H-1.** RECEIVE presentations from department representatives, providing an overview of their proposed operating budget for Fiscal Year 2018-19; and, RECEIVE an update on the proposed operating budget for Fiscal Year 2018-19 and the Capital Improvement Plan for Fiscal Years 2018-23 and DIRECT staff to finalize documents for June 26, 2018 - Finance Department (Belinda Warner 620-6740/Markisha Guillory 620-5434).

I. PUBLIC HEARINGS

- I-1. WITHDRAWN BY APPELLANT**, the matter to hold a public hearing on the appeal of the Planning Commission's conditional approval of the Anaviv Conditional Use Permit Amendment (PLN17-572), and ADOPT a resolution affirming the Planning Commission's conditional approval - Planning and Building Services Department (Richard Mitchell 620-6706). **This item was continued from the May 15, 2018, meeting.**

I-2. CONTINUED TO JUNE 19, 2018, the matter to adopt a resolution approving a Major Amendment to the Miraflores Planned Area Plan to increase the total number of residential units from 150 to 190 and increase building heights above 35 feet, approving Vesting Tentative Map for condominiums, and a Design Review Permit - Planning and Building Services Department (Richard Mitchell 620-6706).

J. ORDINANCES

J-1. INTRODUCE an ordinance (first reading) amending Chapter 9.52 Community Noise Ordinance adjusting the Maximum Noise Level for Single-Family Residential and Multifamily Residential Zoning Districts - Office of the Mayor (Mayor Tom Butt 620-6503).

K. COUNCIL AS A WHOLE

K-1. DIRECT the city manager and the city attorney to initiate revocation proceedings by the Richmond Planning Commission and schedule a Planning Commission hearing to consider revoking or modifying the conditional use permit (CUP 85-40), originally issued to Sims-LMC Metals (currently Sims Metal Management) located at 600 South 4th Street in Richmond, no later than July 30, 2018 - Office of the Mayor (Mayor Tom Butt 620-6503).

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.